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सं. 34] नई दिल्ली, अगस्त 17—अगस्त 23, 2003, शनिवार/श्रावण 26—भाद्र 1, 1925
No. 34] NEW DELHI, AUGUST 17—AUGUST 23, 2003, SATURDAY/SRAVANA 26—BHADRA 1, 1925

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

मंत्रिमंडल सचिवालय

नई दिल्ली, 12 अगस्त, 2003

का.आ. 2362.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, रश्मि शुक्ल बनाम बिहार राज्य एवं अन्य के मामले में एस.एल.पी.सी.आरएल सं. 5656/2002 में उच्चतम न्यायालय के दिनांक 28-04-2003 के आदेश के अनुपालन में, भारतीय दण्ड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 302/307/324/326 के अधीन थाना बेतिया मुफ्फसिल, पश्चिम चम्पारन, बिहार, में पंजीकृत दिनांक 17-04-2001 की एफ.आई.आर. सं. 68/2001 के मामले और उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों, दुष्प्रेरणों और षड्यंत्रों तथा उसी संव्यवहार के दौरान किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध अथवा अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण बिहार राज्य पर करती है।

[फा. सं. 228/47/2003-डी.एस.पी.ई.]

शुभा ठाकुर, अवर सचिव

CABINET SECRETARIAT

New Delhi, the 12th August, 2003

S.O. 2362.—In exercise of the powers conferred by sub-section (1) of Section 5 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government in compliance with the Order of Supreme Court dated 28-4-2003 in SLP CrI. No. 5656/2002 in case of Rashmi Shukla Vs. State of Bihar and others, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Bihar to investigate case FIR No. 68/2001 dated 17-4-2001, registered at Police Station Bettiah Mufassil, West Champaran, Bihar under Sections 302, 307, 324 and 326 of Indian Penal Code, 1860 (Act No. 45 of 1860) and attempt, abetment, conspiracy in relation to or in connection with the offences mentioned above or any other offence committed in the course of same transaction arising out of the same facts.

[F. No. 228/47/2003-DSPE]

SHUBHA THAKUR, Under Secy.

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 14 अगस्त, 2003

का. आ. 2363.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिज़र्व बैंक की सिफरिश पर एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 11 की उप-धारा (1) के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 2004 तक जिला सहकारी केन्द्रीय बैंक मर्यादित, दुर्ग, छत्तीसगढ़ राज्य पर लागू नहीं होंगे।

[फा. सं. 1(8)/2001-ए.सी.]

मंगल मरांडी, अवर सचिव

MINISTRY OF FINANCE

(Department of Economics Affairs)

(Banking Division)

New Delhi, the 14th August, 2003

S.O. 2363.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on recommendation of the Reserve Bank of India declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to Jilla Sahakari Kendriya Bank Maryadit, Durg, Chhattisgarh State, from the date of publication of this notification in the Official Gazette till 31st March, 2004.

[F.No. 1(8)/2001-AC]

MANGAL MARNDI, Under Secy.

नई दिल्ली, 14 अगस्त, 2003

का. आ. 2364.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिज़र्व बैंक की सिफरिश पर एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 2004 तक कर्नाटक सेंट्रल कोऑपरेटिव बैंक लि., धारवाड़, कर्नाटक पर लागू नहीं होंगे।

[फा. सं. 1(24)/2003-ए.सी.]

मंगल मरांडी, अवर सचिव

New Delhi, the 14th August, 2003

S.O. 2364.—In exercise of powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on recommendation of the Reserve Bank of India declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to Karnataka Central Co-operative Bank Ltd., Dharwad, Karnataka from the date of publication of this notification in the Official Gazette till 31st March, 2004.

[F.No. 1(24)/2003-AC]

MANGAL MARNDI, Under Secy.

विदेश मंत्रालय

(सी. पी. वी. प्रभाग)

नई दिल्ली, 6 अगस्त, 2003

का. आ. 2365.—राजनयिक कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का राजदूतावास बर्लिन में श्री एन. मिर्धा, सहायक को 06-08-2003 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी-4330/01/2003]

उपेन्द्र सिंह रावत, अवर सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(C.P.V. Division)

New Delhi, the 6th August, 2003

S.O. 2365.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri N. Mridha, Assistant in the Assistant Embassy of India, Berlin to perform the duties of Assistant Consular Officer with effect from 06-08-2003.

[No. T-4330/01/2003]

U.S. RAWAT, Under Secy. (Cons.)

नई दिल्ली, 6 अगस्त, 2003

का. आ. 2366.—राजनयिक कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का राजदूतावास अन्तानानारीव में श्री डी.सी. राभा और श्री आज़ाद सिंह, सहायकों को 06-08-2003 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी-4330/01/2003]

उपेन्द्र सिंह रावत, अवर सचिव (कौंसुलर)

New Delhi, the 6th August, 2003

S.O. 2366.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri D.C. Rabha and Shri Azad Singh, Assistant in the Embassy of India, Antananarivo to perform the duties of Assistant Consular Officer with effect from 06-08-2003.

[No. T-4330/01/2003]

U.S. RAWAT, Under Secy. (Cons.)

मानव संसाधन विकास मंत्रालय

(माध्यमिक और उच्चतर शिक्षा विभाग)

नई दिल्ली, 4 अगस्त, 2003

का. आ. 2367.— इस मंत्रालय की दिनांक 23 जून, 2003 की समसंख्यक अधिसूचना के क्रम में केन्द्र सरकार एतद्वारा ओरोविले प्रतिष्ठान बोर्ड के अध्यक्ष के रूप में डा. किरीट जोशी के कार्यकाल की अवधि को 30-09-2003 तक बढ़ाती है।

[एफ. सं. 27-50/2002-यू. यू.]

सी. बालकृष्णन, संयुक्त सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Secondary and Higher Education)

New Delhi, the 4th August, 2003

S.O. 2367.— In continuation of the notification of this Ministry even number dated 23rd June, 2003 the Central Government hereby grant extension of the term of Dr. Kireet Joshi as the Chairman of the Board of Auroville Foundation upto 30-09-2003.

[F. No. 27-50/2002-UU]

C. BALAKRISHNAN, Jt. Secy.

MINISTRY OF AGRICULTURE(Department of Agricultural Research and Education)
(INDIAN COUNCIL OF AGRICULTURAL RESEARCH)

New Delhi, the 8th August, 2003

S.O. 2368.— In pursuance of Regulation 2(iv) of the Standing Finance Committee Regulations, framed by the Indian Council of Agricultural Research and in pursuance of provision contained in Section 7(2) of the A.P. Cess Act, 1940, the Governing Body has elected the following Member to the Standing Finance Committee for a period of one year with effect from 15th July, 2003 to 14th July, 2004 or in case his successor have not been duly elected before the expiry of the term until his election or on the expiry of his term on the governing Body whichever is earlier.

1. Shri Uttamrao Patil
Member of Parliament (LS)
11, Mahabali Nagar, Wadgon
Yavatmal, Maharashtra
Member of Parliament (LS)

3, Mahadev Road, New Delhi 110 001.

[F. No. 6(1)/2003-Gov. Cell]

SHASHI MISRA, Addl. Secy.

कृषि मंत्रालय

(कृषि अनुसंधान और शिक्षा विभाग)

(भारतीय कृषि अनुसंधान परिषद्)

नई दिल्ली, 8 अगस्त, 2003

का. आ. 2368.— भारतीय कृषि अनुसंधान परिषद् द्वारा निर्मित स्थाई वित्त समिति के विनियमों के विनियम 2 (iv) के अनुसरण में और कृषि उत्पाद उपकर अधिनियम, 1940 की धारा 7(2) में निहित प्रावधान के अनुसरण में शासी निकाय ने स्थाई वित्त समिति के निम्नलिखित सदस्य को दिनांक 15 जुलाई, 2003 से 14 जुलाई, 2004 तक 1 वर्ष की अवधि के लिए अथवा शासी निकाय में उनकी अवधि समाप्त होने में जो भी पहले हो अथवा यदि उनके उत्तराधिकारी की उनकी अवधि समाप्त होने के पहले विधिवत् रूप से चयन नहीं हो पाने पर उनके चयन तक की अवधि के लिए निर्वाचित किया है।

श्री उत्तमराव पाटिल

संसद सदस्य (लोक सभा),

11, महाबली नगर, वडगोन,

यावतमाल, महाराष्ट्र

संसद सदस्य (लोक सभा)

3, महादेव रोड, नई दिल्ली-110001

[फा. सं. 6(1)2003-गवर्नेस सैल]

शशि मिश्रा, अपर सचिव

शहरी विकास और गरीबी उपशमन मंत्रालय

(दिल्ली प्रभाग)

नई दिल्ली, 30 जुलाई, 2003

का. आ. 2364.— दिल्ली नगर कला आयोग अधिनियम, 1973 (1974 का 1) के खंड 4 और 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और 31-1-2003 की अधिसूचना का अधिक्रमण करते हुए, केन्द्र सरकार एतद्वारा आदेश देती है कि श्री अनुपम दास गुप्ता, अपर सचिव (शहरी विकास) भारत सरकार अगले आदेशों तक अपने पद के कर्तव्यों के अतिरिक्त दिल्ली नगर कला आयोग के अध्यक्ष का कार्यभार भी संभालेंगे।

[सं. ए-11013/7/2003-डी.डी.-ए]

परमजीत सिंह, डैस्क अधिकारी

MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION

(DELHI DIVISION)

New Delhi, the 30th July, 2003

S.O. 2369.— In exercise of the powers conferred by Sections 4 and 5 of the Delhi Urban Art Commission Act, 1973 (1 of 1974) and in supersession of notification dated 31-1-2003, the Central Government hereby orders that Shri Anupam Das Gupta, Addl. Secretary (UD) to the Government of India would also officiate as Chairman of the Delhi Urban Art Commission, in addition to his own duties, till further orders.

[No. A-11013/7/2003-DD-IA]

PARMJIT SINGH, Desk Officer

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

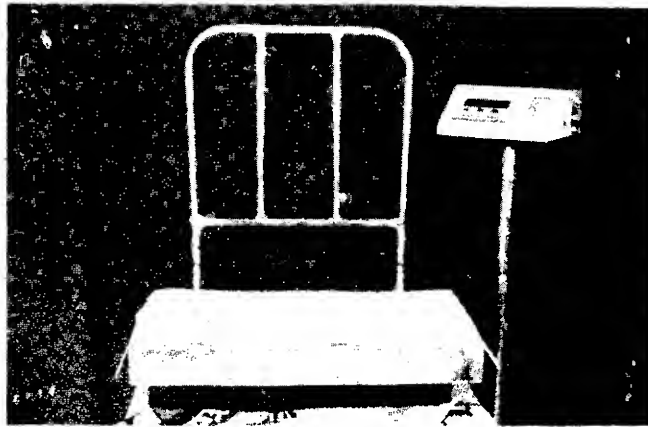
नई दिल्ली, 8 अगस्त, 2003

का.आ. 2370 .—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेन्स (इंडिया), एच-7, गंगाराम हाउसिंग सोसायटी लि., धरम नगर, सांवरमती, अहमदाबाद-5 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग 3) वाले "एम डब्ल्यू एस पी-302" शृंखला के अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेन्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी 09/2003/117 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल विकृतमापी भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 50 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त, सीलिंग कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए भी की जा सकती है।



और, केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. से अधिक और 150 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) 5 ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में हैं तथा जिनका "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा.सं. डब्ल्यू. एम.-21(294)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक मार्प विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

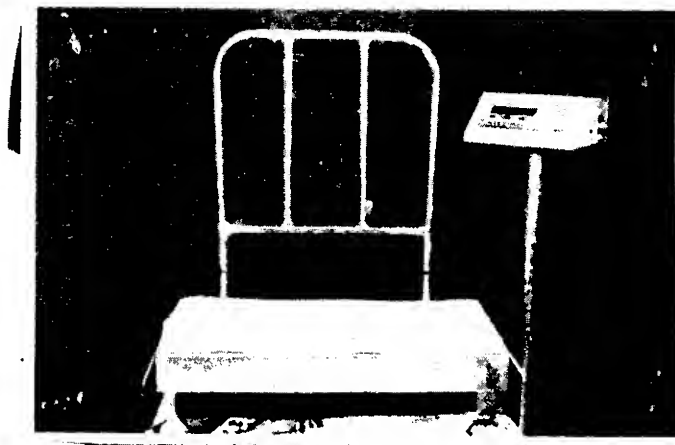
New Delhi, the 8th August, 2003

S.O. 2370.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing instrument (Platform type) belonging to medium accuracy (accuracy class III) of 'MWSP-302' SERIES WITH BRAND NAME "MAN'S" (hereinafter referred to as the said Model), manufactured by M/s. Man's (India), H-7, Gangaram Housing Society Ltd., Dharam Nagar, Sabarmati, Ahmedabad-5 and which is assigned the approval mark IND/09/2003/117;

The said Model is strain gauge load cell based non-automatic weighing instrument (Platform type). The maximum capacity is 50kg. and minimum capacity 100g. The value of verification scale interval 'e' is 5g. It has tare device with a 100 per cent subtractive retained tare effect. The Light Emitting diode (LED) display indicates the weighing result. The instrument operates on 230V, 50-Hz alternative power supply.

In addition to sealing stamping plate, the sealing may also be done to prevent the opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 150 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k, being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(294)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

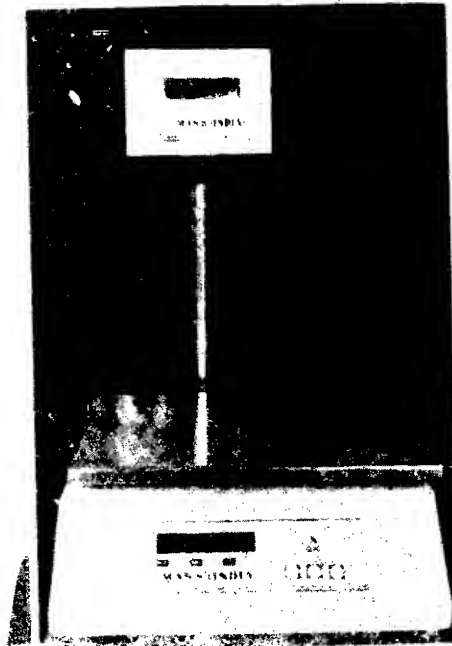
नई दिल्ली, 8 अगस्त, 2003

का.आ. 2371.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेन्स (इंडिया), एच-7, गंगाराम हाउसिंग सोसायटी लि., धरम नगर, साबरमती, अहमदाबाद-5 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग 3) वाले "एम डब्ल्यू एस टी-207" शृंखला के अस्वचालित, तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेन्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2003/118 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र प्रकाशित करती है;

उक्त मॉडल विकृतमापी भार सेल आधारित अस्वचालित (टेबल टाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आघेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आघेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त, सीलिंग कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए भी की जा सकती है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) 100 मि. ग्रा. से 2 ग्रा. के "ई" मान के लिए 100 से 10,000 की रेंज में है और सत्यापन मापमान अंतराल (एन) 5 ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू. एम. 21(294)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th August, 2003

S.O. 2371.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing instrument (Table top type) belonging to medium accuracy (accuracy class III) of "MWST-207" series with brand name "MAN'S" (hereinafter referred to as the said Model), manufactured by M/s. Man's (India), H-7, Gangaram Housing Society Ltd., Dharam Nagar, Sabarmati, Ahmedabad-5 and which is assigned the approval mark IND/09/2003/118;

The said Model is strain gauge load cell based non-automatic weighing instrument (Table top type). The maximum capacity is 30kg. and minimum capacity 100 g. The value of verification scale interval 'e' is 5g. It has tare device with a 100 percent subtractive retained tare effect. The Light Emitting diode (LED) display indicates the weighing result. The instrument operates on 230V, 50-Hz alternative power supply.

In addition to sealing, stamping plate, sealing may also be done to prevent the opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g and with the number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(294)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

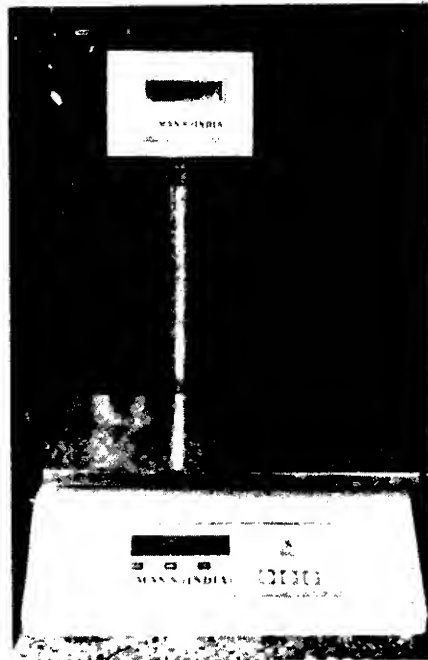
नई दिल्ली, 8 अगस्त, 2003

का.आ. 2372.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेन्स (इंडिया), एच-7, गंगाराम हाउसिंग सोसायटी लि., धरम नगर, साबरमती, अहमदाबाद-5 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग 2) वाले "एम डब्ल्यू एस" शृंखला के अस्वचालित, तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेन्स" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2003/119 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल विकृतमापी भार सेल आधारित अस्वचालित (टेबल टाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 11 कि. ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त, सीलिंग कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए भी की जा सकती है।



और, केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) 1 मि. ग्रा. से 50 मि. ग्रा. के "ई" मान के लिए 100 से 50,000 की रेंज में है और सत्यापन मापमान अंतराल (एन) 100 मि. ग्रा. या अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम.-21(294)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

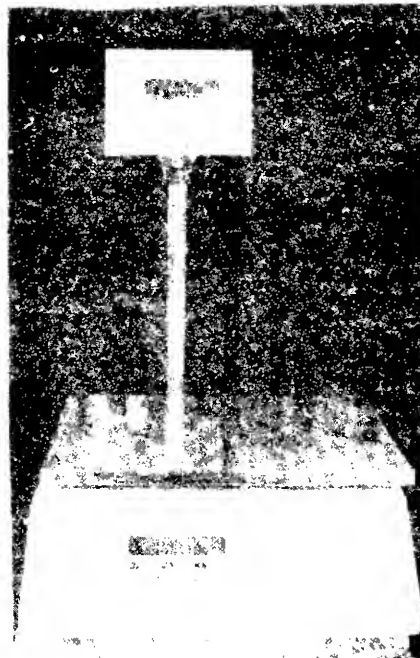
New Delhi, the 8th August, 2003

S.O. 2372.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) belonging to high accuracy (accuracy class II) of "MWS" series with brand name "MAN'S" (hereinafter referred to as the model), manufactured by M/s. Man's (India), H-7, Gangaram Housing Society Ltd., Dharam Nagar, Sabarmati, Ahmedabad-5 and which is assigned the approval mark IND/09/2003/119;

The model is strain gauge load cell based non-automatic weighing instrument (Table top type). The maximum capacity is 11kg. and minimum capacity 50g. The value of verification scale interval 'e' is 1g. It has tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230V, 50-Hz alternative power supply.

In addition to sealing the stamping plate, sealing may also be done to prevent the opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg and with the number of verification scale interval (n) in the range 5000 to 50000 for 'e' value of 100 mg or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k, being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

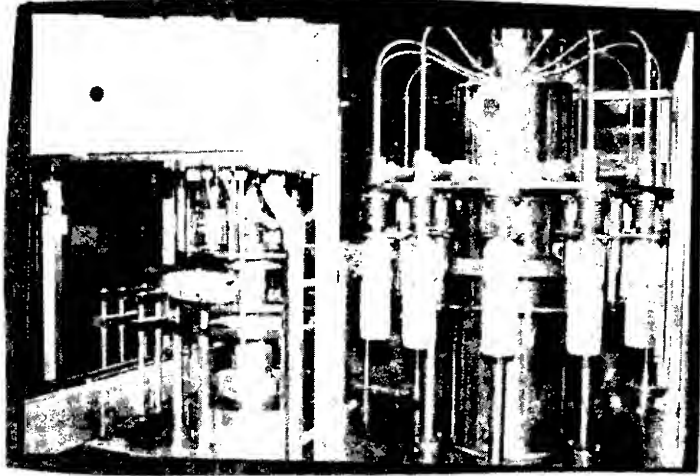
[F. No. WM-21(294)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 अगस्त, 2003

का.आ. 2373.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हाइमेक इंजीनियर्स प्राइवेट लिमिटेड, प्लॉट नं. 14, रोड 10, एम आई डी सी, मारोल अंधेरी-400093 द्वारा विनिर्मित "हाइमेक" शृंखला की स्वतः भरण मशीन (निकास नलिका कपाट प्रणाली) के मॉडल का, जिसके ब्रांड का नाम "हाइमेक" है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी 09/2003/96 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;



उक्त मॉडल एक स्वतः भरण मशीन (निकास नलिका कपाट प्रणाली) है। इसकी अधिकतम क्षमता 5000 मि. ली. और न्यूनतम क्षमता 200 मि. ली. या समतुल्य भार है। यह अधिकतम 40 पूरण प्रति मिनट की दर से भरती है। यह मशीन मुक्त प्रवाह वाले श्यानता हीन द्रव उत्पादों जैसे खनिज जल, दुग्ध, मृदु पेय, बीअर, व्हिस्की आदि को भरने के लिए डिज़ाइन की गई है। यह 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करती है।

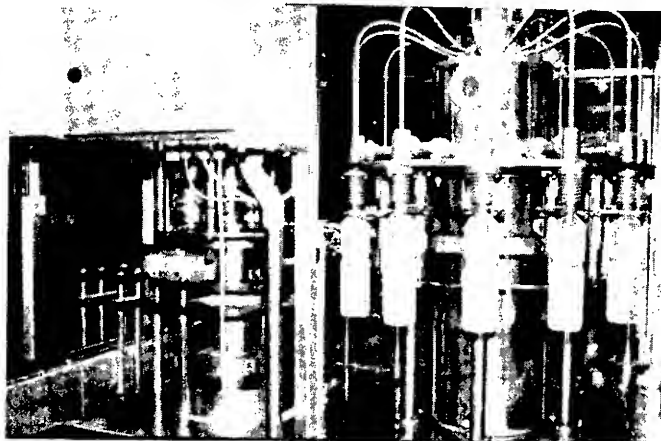
[फा.सं. डब्ल्यू. एम.-21(85)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th August, 2003

S.O. 2373.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of automatic filling machine (Vent pipe valve system) of 'HYMECH' series with brand name "HYMECH" (herein referred to as the said model), manufactured by M/s. Hymech Engineers Private Limited, Plot No. 14, Road 10, MIDC, Marol, Andheri-400 093 and which is assigned the approval mark IND/09/2003/96;



The said model is an automatic filling machine (Vent pipe valve system). Its maximum capacity is 5000ml and minimum capacity is 200ml or equivalent weight. It fills at a maximum rate of 40 fills per minute. The machine is designed for filling free flowing non-viscous liquid products like mineral water, milk, soft drink, beer, whisky etc. It operates on 230 Volts and 50Hz alternate current power supply.

[F. No. WM-21(85)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

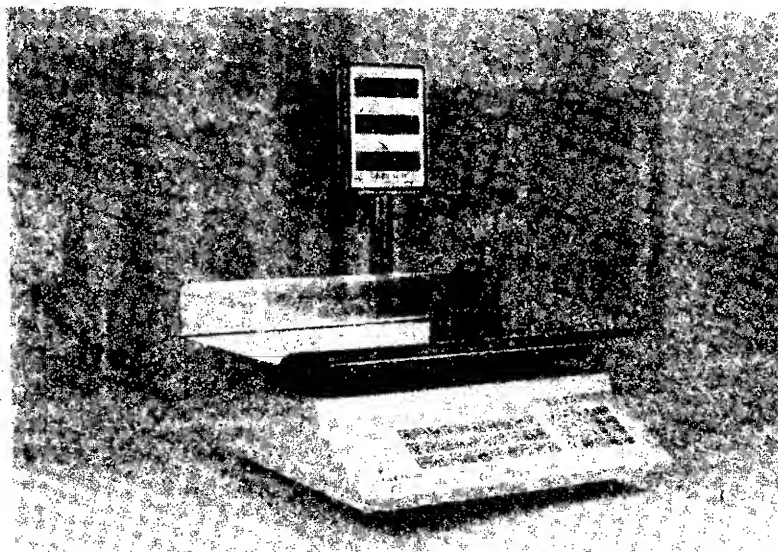
नई दिल्ली, 14 अगस्त, 2003

का.आ. 2374.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जी टेक स्केल्स एण्ड सिस्टम्स, ए-21, मायापुरी इंडस्ट्रियल एरिया, फेज-II, नई दिल्ली-110064 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता II) वाले "जी टी टी" श्रृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबल प्रकार) के मॉडल का, जिसके ब्रांड का नाम "जी टेक" है (जिसे इसमें मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी 09/2003/141 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।

उक्त मॉडल (आकृति देखें) दाव गेज भार सेल आधारित प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 11 कि. ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

सील लगाना : स्टाम्पिंग प्लेट को सील बन्द करने के अतिरिक्त, कपटपूर्ण व्यवहार के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया गया है।



और, केंद्रीय सरकार उक्त अधिनियम की धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिसके अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 1 मि. ग्रा. से 50 मि. ग्रा. के "ई" मान के लिए 100 से 50,000 की रेंज में है और जिनके सत्यापन मापमान अंतराल (एन) की अधिकतम संख्या 100 मि. ग्रा. और अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान 1×10^3 , 2×10^3 या 5×10^3 है जिसमें 'के' धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा.सं. डब्ल्यू. एम.-21(287)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

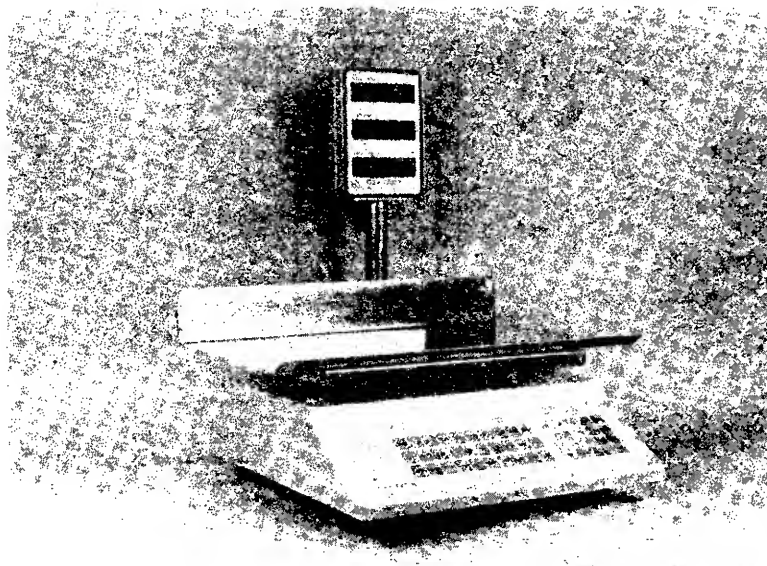
New Delhi, the 14th August, 2003

S.O. 2374.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of self-indicating, non-automatic (Table type) weighing instrument with digital indication of "GTT" series of high accuracy (Accuracy class II) and with brand name "GEETECH" (herein referred to as the Model), manufactured by M/s. Geetech Scales and Systems, A-21, Mayapuri Industrial Area, Phase II, New Delhi-110 064 and which is assigned the approval mark IND/09/2003/141;

The said model (see the figure given below) is a strain gauge load cell based type weighing instrument with a maximum capacity of 11kg. and minimum capacity of 50g. The verification scale interval 'e' is 1g. It has tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply.

Sealing : In addition to sealing stamping plate, sealing is done to prevent opening the machine for fraudulent practices.



Further, in exercise of the powers conferred by Sub-section (12) of the section 36, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg and with number of verification scale interval (n) in the range of 5000 to 50000 for 'e' value of 100mg or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , 'k' being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F No WM-21(287)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

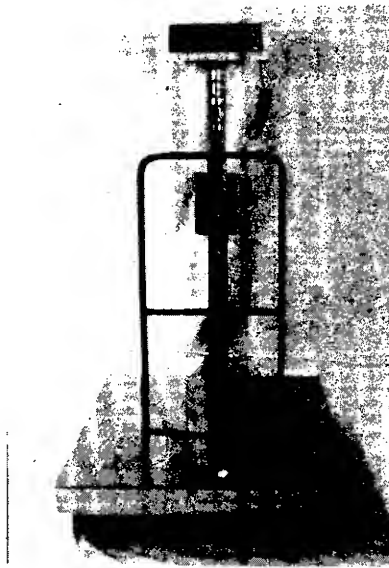
नई दिल्ली, 14 अगस्त, 2003

का.आ. 2375.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जी टेक स्केल्स एण्ड सिस्टम्स, ए-21, मायापुरी इंडस्ट्रियल एरिया, फेज II, नई दिल्ली-110064 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "जी टी टी" श्रृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "जी टेक" है (जिसे इसमें मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2003/142 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।

उक्त मॉडल (आकृति देखें) दाव गेज भार सेल आधारित प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 60 कि. ग्रा. और न्यूनतम क्षमता 200 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

सील लगाना : स्टाम्पिंग प्लेट को सील बन्द करने के अतिरिक्त कपटपूर्ण व्यवहार के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया गया है।



और, केंद्रीय सरकार उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. से 300 कि. ग्रा. के बीच है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिसके अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 100 से 10,000 तक की रेंज में है और सत्यापन मापमान अंतराल (एन) के 5 ग्रा. और अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में है तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ है जिसमें 'के' धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फ़ा.सं. डब्ल्यू. एम.-21(287)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

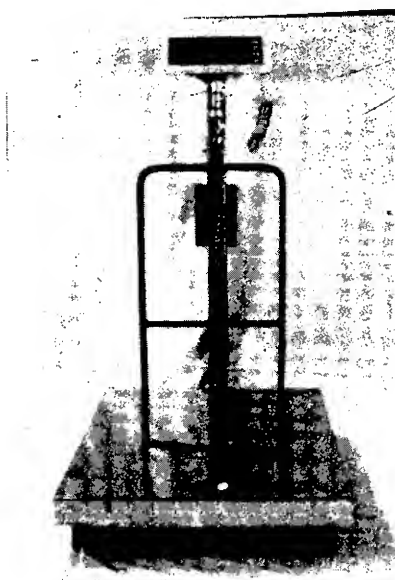
New Delhi, the 14th August, 2003

S.O. 2375.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of self-indicating, non-automatic (Platform type) weighing instrument with digital indication of "GTP" series of medium accuracy (Accuracy class III) and with brand name "GEETECH" (hereinafter referred to as model), manufactured by M/s. Geetech Scales and Systems, A-21, Mayapuri Industrial Area, Phase II, New Delhi-110 064 and which is assigned the approval mark IND/09/2003/142;

The said model (figure given below) is a strain gauge load cell based type weighing instrument with a maximum capacity of 60kg. and minimum capacity of 200g. The verification scale interval 'e' is 10g. It has tare device with a 100 percent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply.

Sealing : In addition to sealing stamping plate, sealing is done to prevent opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by Sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity ranging between 50 kg. to 300 kg. and with number of verification scale interval (n) in the range of 100 to 10,000 and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , 'k' being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(287)/2001]

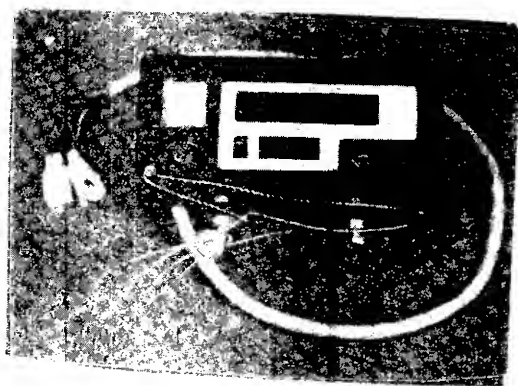
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 अगस्त, 2003

क्र.आ. 2376.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स देवी श्री मुद्रण 900 एम आई ई बहादुरगढ़ (हरियाणा) द्वारा विनिर्मित “डी एस एम ई टी” श्रृंखला के अंकक सूचन सहित टैक्सी मीटर के माडल का, जिसके ब्रांड का नाम “डाल्फिन” है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/132 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र प्रकाशित करती है;

सीलिंग : स्टाम्पिंग प्लेट को सील करने के साथ सीलिंग कपटपूर्ण व्यवहारों के लिए मशीन खोलने से रोकने के लिए पल्स जनरेटर, केबल संयोजन बिन्दुओं तथा कपटपूर्ण मुख्य किराया मीटर पर मुद्रांकन किया जाएगा।



उक्त माडल एक टैक्सी मीटर है जिसमें दूरी और समय मापक युक्ति सहित अंकक सूचन समाविष्ट है। यह निरंतर योग करता है तथा यात्रा के किसी क्षण में यात्री द्वारा संदेय प्रभार उपदर्शित करता है। तय की गई दूरी, तय किया गति से ऊपर और लगे समय की कतिपय गति से नीचे के अनुसार संदेय किराया मीटर का कार्य है मीटर का पठन सात खण्डीय प्रकाश उत्सर्जक डायोड द्वारा उपदर्शित किया जाता है और विद्युत प्रदाय डी सी 12 वोल्ट है। मुद्रांकन प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए उनके साथ-साथ छेड़छाड़ को रोकने के लिए पल्स जनरेटर, केबल संयोजन बिन्दुओं तथा कपटपूर्ण मुख्य किराया मीटर पर मुद्रांकन किया जाएगा।

[फा.सं. डब्ल्यू. एम.-21(345)/2001]

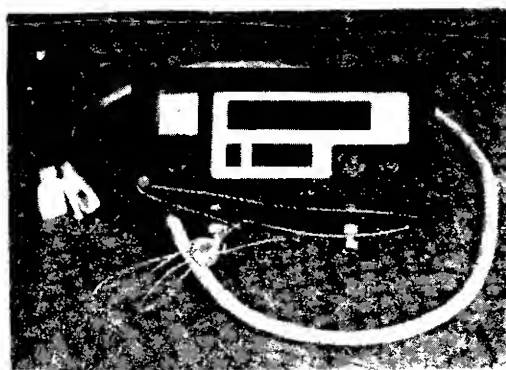
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th August, 2003

S.O. 2376.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of Taxi Meter with digital indication of DSM-ET series with brand name "DOLPHIN" (herein referred to as the Model), manufactured by M/s. Devishree Mudran, 900, M.I.E. Bahadurgarh, Haryana and which is assigned the approval mark IND/09/2002/132;

In addition to the stamping plate, sealing may be done on the pulse generator, cable connector and the main fare meter to prevent their opening for malpractice.



The Model is a Taxi Fare Meter with digital indication incorporated with a distance and time measuring device. It totalizes continuously and indicates at any moment of the journey, the charges payable by the passenger. The fare to pay is a function of the distance travelled above a certain speed and the length of the time occupied that speed below. The reading of the meter is indicated by seven segment Light Emitting Diode (LED).

[F. No. WM-21(345)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

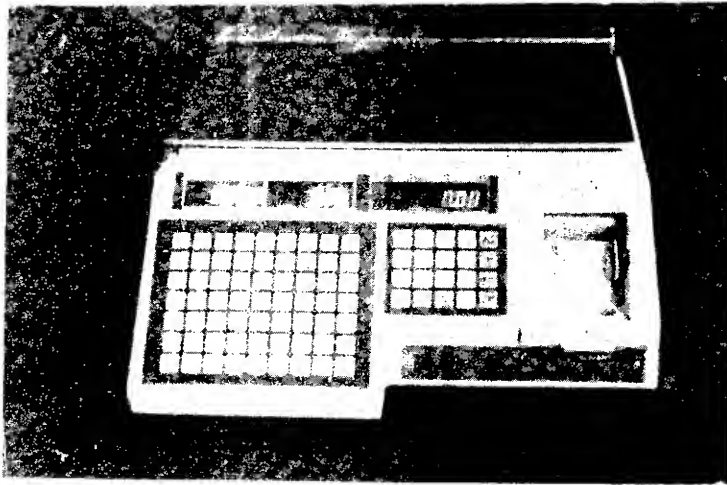
नई दिल्ली, 14 अगस्त, 2003

का.आ. 2377.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सी ए एस वेइंग इंडिया प्राइवेट लिमिटेड, 568, उद्योग विहार, फेज-V, गुडगांव-122016 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एल पी" शृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबल प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सी. ए. एस." है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2003/144 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) दाव गेज भार सेल आधारित प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 15 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लोरोसेंट प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

सील लगाना : स्टाम्पिंग प्लेट को सील बन्द करने के अतिरिक्त कपटपूर्ण व्यवहार के लिए मशीन को खोलने से रोकने के लिए भी सीलबन्द किया जाना चाहिए।



और, केंद्रीय सरकार उक्त धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिसके अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की अधिकतम संख्या 100 मि. ग्रा. से 2 ग्राम तक है के "ई" मान के लिए 500 से 10,000 की रेंज में है और सत्यापन मापमान अंतराल (एन) की संख्या 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा.सं. डब्ल्यू. एम.-21(30)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

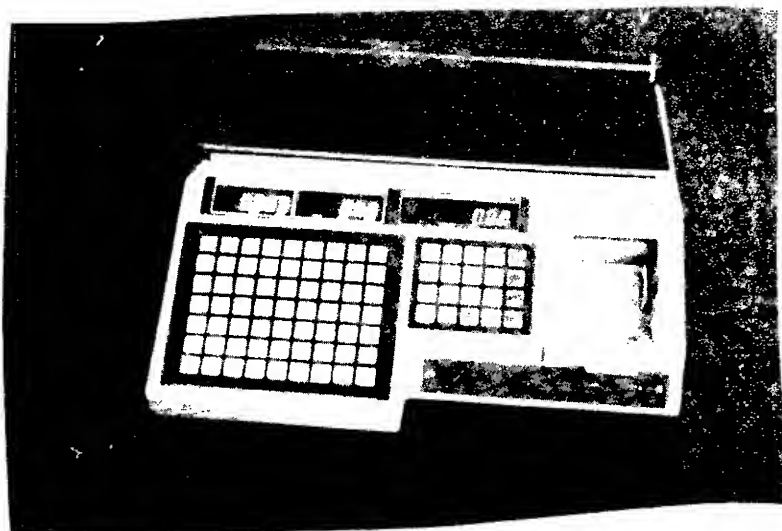
New Delhi, the 14th August, 2003

S.O. 2377.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of self-indicating, non-automatic (Table type) weighting instrument with digital indication of "LP" series of medium accuracy (Accuracy class III) and with brand name "CAS" (hereinafter referred to as the model), manufactured by M/s. CAS Weighing India Pvt. Ltd., 568, Udyog Vihar, Phase V, Gurgaon-122 016 and which is assigned the approval mark IND/09/2003/144;

The said model (see the figure given below) is a strain gauge load cell based type weighing instrument with a maximum capacity of 15 kg. and minimum capacity of 100g. The verification scale interval 'e' is 5g. It has tare device with a 100 per cent subtractive retained tare effect. The Vacuum fluorescent display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply.

Sealing : In addition to sealing the stamping plate, sealing should also be done to prevent opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by sub-section (12) of the section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k, being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(30)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

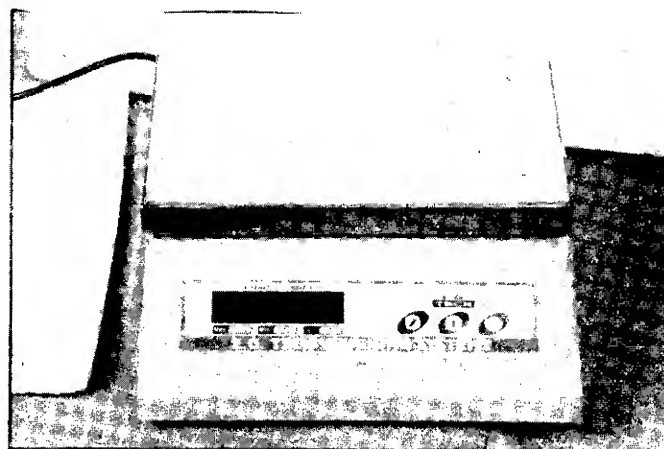
नई दिल्ली, 14 अगस्त, 2003

का.आ. 2378.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ई. जी. टेक वेईंग सिस्टम्स, 10 मोती चेम्बर्स, कृष्णा विद्यालय के पास, 137, आखिरी बस स्टॉप, मनहार नगर, बापू नगर, अहमदाबाद, गुजरात-380024 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग 2) वाले "ई टी" श्रृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबल प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ई जी टेक" है (जिसे इसमें मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी 09/2003/173 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल (आकृति देखें) दाव गेज भार सेल आधारित प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 11 कि. ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

सील लगाना : स्टाम्पिंग प्लेट को सील बन्द करने के अतिरिक्त कपटपूर्ण व्यवहार के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया गया है।



और, केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिसके अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 1 मि. ग्रा. से 50 मि. ग्रा. के "ई" मान के लिए 100 से 50,000 तक की रेंज में है और जिनके सत्यापन मापमान अंतराल (एन) की अधिकतम संख्या 100 मि. ग्रा. और अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू. एम. 021(129)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

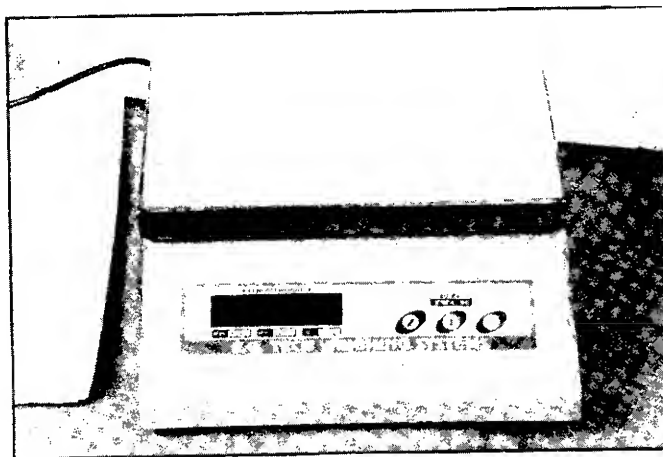
New Delhi, the 14th August, 2003

S.O. 2378.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic (Table type) weighing instrument with digital indication of "ET" series of High accuracy (Accuracy class II) and with brand name "E.G. Tech" (hereinreferred to as the model), manufactured by M/s. E.G. Tech weighing systems, 10 Moti chambers, Near Krishna Vidyalaya, Nr. 137, Last Bus stop, Manhamagar, Babu Nagar, Ahmedabad, Gujarat-380024 and which is assigned the approval mark IND/09/2003/173;

The said model (see the figure given below) is a strain gauge load cell based type weighing instrument with a maximum capacity of 11kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;

Sealing : In addition to sealing stamping plate, sealing is done to prevent opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by Sub-section (12) of said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make accuracy and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value 1mg. to 50mg. and with number of verification scale interval(n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k, being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(129)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 7 अगस्त, 2003

का.आ. 2379.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 530 तारीख, 11 फरवरी, 2003 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, गेल (इंडिया) लिमिटेड द्वारा उत्तर प्रदेश राज्य में विद्यमान हजीरा-विजयपुर-जगदीशपुर पाइपलाइन पर एस. वी.-11 से सिटी गेट स्टेशन बरेली परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइनें बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 08 अप्रैल, 2003 को उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइनें बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइनें बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइनें बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, पाइपलाइनें बिछाने का प्रस्ताव करने वाली गेल (इंडिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इंडिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	अर्जित क्षेत्रफल (हैक्टेयर में)
1	2	3	4	5
बरेली	बरेली	चौबारी	53	0.060
			55	0.020
			56	0.160

1	2	3	4	5
बरेली	बरेली	चौबारी	71	0.010
			72	0.120
			73	0.060
			76	0.050
			77	0.030
			79	0.030
			कुल	0.540
		बुखारा	2	0.010
			3	0.020
			4	0.020
			6	0.040
			10	0.010
			11	0.010
			103	0.040
			137	0.020
			कुल	0.170
		महेशपुर		
		ठाकुरान	725	0.070
			737	0.010
			768	0.010
			769	0.030
			770	0.020
			772	0.100
			775	0.010
			820	0.110
			821	0.110
			822	0.060
			825	0.010
			829	0.030
			830	0.040
			831	0.020
			कुल	0.630
		करेली	1051	0.020
			1052	0.100
			1053	0.070
			1055	0.070
			1059	0.080
			1060	0.080
			1061	0.060
			1073	0.060
			1074	0.060
			1075	0.060
			1076	0.040
			1078	0.050
			1080	0.010

1	2	3	4	5	1	2	3	4	5
बरेली	बरेली	करेली	1084	0.010	बरेली	बरेली	करेली	1361	0.010
			1119	0.030				1338	0.010
			1121	0.300				1400	0.010
			1122	0.340				1401	0.010
			1124	0.220				1402	0.020
			1137	0.010				1403	0.030
			1143	0.040				1406	0.010
			1144	0.030				1407	0.010
			1145	0.020				1409	0.010
			1147	0.030				1410	0.030
			1148	0.030				1411	0.080
			1149	0.020				1412	0.010
			1151	0.020				1417	0.010
			1153	0.040				1418	0.090
			1158	0.130				1419	0.030
			1159	0.140				1421	0.010
			1160	0.090				1422	0.090
			1161	0.040				1423	0.010
			1162	0.080				1424	0.010
			1163	0.010				कुल	3.810
			1249	0.100			कान्धरपुर	21	0.020
			1251	0.020				22	0.030
			1254	0.010				28	0.060
			1255	0.100				29	0.010
			1256	0.010				38	0.010
			1257	0.040				39	0.020
			1258	0.040				51	0.280
			1260	0.010				53	0.010
			1261	0.030				कुल	0.440
			1263	0.030			अभयपुर		
			1265	0.020			कैम्प	160	0.010
			1266	0.010				161	0.010
			1270	0.030				162	0.030
			1271	0.020				163	0.030
			1272	0.040				164	0.040
			1273	0.010				165	0.010
			1301	0.010				180	0.010
			1319	0.010				181	0.020
			1348	0.010				182	0.010
			1349	0.070				185	0.020
			1350	0.130				कुल	0.190
			1351	0.030					
			1352	0.020					
			1353	0.030					
			1354	0.100					

[फा. सं. एल-14014/52/02-जी. पी.]

स्वामी सिंह, निदेशक

**MINISTRY OF PETROLEUM AND NATURAL
GAS**

New Delhi, the 7th August, 2003

S.O. 2379.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 530 dated the 11th February, 2003, issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for the transportation of natural gas from SV-11 on existing Hazira-Vijaipur-Jagdishpur pipeline to City Gate Station Bareilly project in the State of Uttar Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notifications were made available to the public on 08th April, 2003;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area Acquired (In Hect.)
1	2	3	4	5
Bareilly	Bareilly	Choubari	53	0.060
			55	0.020
			56	0.160

1	2	3	4	5
Bareilly	Bareilly	Choubari		
			71	0.010
			72	0.120
			73	0.060
			76	0.050
			77	0.030
			79	0.030
			Total	0.540
		Bukhara	2	0.010
			3	0.020
			4	0.020
			6	0.040
			10	0.010
			11	0.010
			103	0.040
			137	0.020
			Total	0.170
		Meheshpur		
		Thakuran	725	0.070
			737	0.010
			768	0.010
			769	0.030
			770	0.020
			772	0.100
			775	0.010
			820	0.110
			821	0.110
			822	0.060
			825	0.010
			829	0.030
			830	0.040
			831	0.020
			Total	0.630
		Karaili	1051	0.020
			1052	0.100
			1053	0.070
			1055	0.070
			1059	0.080
			1060	0.080
			1061	0.060
			1073	0.060
			1074	0.060
			1075	0.060
			1076	0.040
			1078	0.050
			1080	0.010

1	2	3	4	5	1	2	3	4	5
Bareilly	Bareilly	Karaili	1084	0.010	Bareilly	Bareilly	Karaili	1361	0.010
			1119	0.030				1338	0.010
			1121	0.300				1400	0.010
			1122	0.340				1401	0.010
			1124	0.220				1402	0.020
			1137	0.010				1403	0.030
			1143	0.040				1406	0.010
			1144	0.030				1407	0.010
			1145	0.020				1409	0.010
			1147	0.030				1410	0.030
			1148	0.030				1411	0.080
			1149	0.020				1412	0.010
			1151	0.020				1417	0.010
			1153	0.040				1418	0.090
			1158	0.130				1419	0.030
			1159	0.140				1421	0.010
			1160	0.090				1422	0.090
			1161	0.040				1423	0.010
			1162	0.080				1424	0.010
			1163	0.010				Total	3.810
			1249	0.100			Kandhar-		
			1251	0.020			pur	21	0.020
			1254	0.010				22	0.030
			1255	0.100				28	0.060
			1256	0.010				29	0.010
			1257	0.040				38	0.010
			1258	0.040				39	0.020
			1260	0.010				51	0.280
			1261	0.030				53	0.010
			1263	0.030				Total	0.440
			1265	0.020			Abhaypur		
			1266	0.010			Camp	160	0.010
			1270	0.030				161	0.010
			1271	0.020				162	0.030
			1272	0.040				163	0.030
			1273	0.010				164	0.040
			1301	0.010				165	0.010
			1319	0.010				180	0.010
			1348	0.010				181	0.020
			1349	0.070				182	0.010
			1350	0.130				185	0.020
			1351	0.030				Total	0.190
			1352	0.020					
			1353	0.030					
			1354	0.100					

[F. No. L-14014/52/'02-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 7 अगस्त, 2003

का.आ. 2380.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 667(अ) तारीख, 12 जुलाई, 2001 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, गेल (इंडिया) लिमिटेड द्वारा आन्ध्र प्रदेश राज्य में मुक्तेश्वरम् से रिजेन्सी सिरामिक्स पाइपलाइन परियोजना तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 08 सितम्बर, 2001 से 19 सितम्बर, 2001 तक उपलब्ध करा दी गई थीं;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार की अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि में पाइपलाइन बिछाने के लिए अपेक्षित है, उस भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इंडिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इंडिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	खसरा नं.	अर्जित क्षेत्रफल (हैक्टेयर में)
1	2	3	4	5
पूर्वी गोदावरी	आयिनविल्लि	तोत्तरमूडि	140/10A भाग	0.018
			140/10B भाग	0.079
			141/4 भाग	0.030

1	2	3	4	5
पूर्वी गोदावरी	आयिनविल्लि तोत्तरमूडि		141/5 भाग	0.099
			141/7 भाग	0.008
			174/1 भाग	0.095
			174/4A भाग	0.051
			174/4D भाग	0.039
			174/4E भाग	0.040
			174/5 भाग	0.106
			174/6C भाग	0.078
			166/2&3 भाग	0.192
			167/3 भाग	0.237
			168/1F भाग	0.089
			168/1G भाग	0.018
			168/1H भाग	0.051
			168/1E भाग	0.044
			168/1I भाग	0.128
			168/1J भाग	0.150
			168/1D भाग	0.014
			कुल	1.567
	सनपल्लि लंका		61/1&2 भाग	0.363
			62/5C भाग	0.103
			62/5C भाग	0.288
			63/5C भाग	0.040
			कुल	0.794
	जगन्नाथ-पुरम		10/9 भाग	0.118
			9/2 भाग	0.014
			10/8 भाग	0.010
			10/1 भाग	0.237
			12/2B भाग	0.122
			12/3 भाग	0.089
			45/5D,	
			C&B भाग	0.158
			45/4 भाग	0.079
			45/8 भाग	0.168
			44/7 भाग	0.099
			44/8 भाग	0.059
			44/9 & 6 भाग	0.138
			43/4 भाग	0.067
			43/5 भाग	0.067

1	2	3	4	5
पूर्वी	आयिनविल्लि	जगन्नाथ-	43/7 भाग	0.054
गोदावरी		पुरम	43/8 भाग	0.075
			42/1 भाग	0.065
			42/2 भाग	0.069
			42/3 भाग	0.113
			54/5 भाग	0.092
			54/6 भाग	0.025
			54/7 भाग	0.035
			57/1 भाग	0.543
			61/1 भाग	0.128
			61/3 भाग	0.094
			61/4 भाग	0.094
			62 भाग	0.059
			91/1 भाग	0.158
			94/7 भाग	0.109
			94/3&6 भाग	0.041
			94/5 भाग	0.089
			94/4 भाग	0.002
			96/2 भाग	0.316
			97/3 भाग	0.118
			97/8 भाग	0.049
			कुल	3.755
	क्राप		138/8 भाग	0.079
			138/9 भाग	0.020
			138/9B भाग	0.008
			138/9C भाग	0.055
			157/5 भाग	0.138
			159/1 भाग	0.198
			158/2 & 3 भाग	0.207
			162/1 भाग	0.178
			163/1 भाग	0.039
			163/2 भाग	0.089
			155 भाग	0.030
			कुल	1.041

[फा. सं. एल-14014/15/03-जी. पी.]

स्वामी सिंह, निदेशक

New Delhi, the 7th August, 2003

S.O. 2380.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 667(E) dated the 12th July, 2001, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of natural gas from Muktheswaram to Regency Ceramics Pipeline Project in the State of Andhra Pradesh by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public from the 8th September, 2001 to 19th September, 2001;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, proposing to lay the pipeline and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area Acquired (In Hect.)
1	2	3	4	5
East Godavari	Ainavilli	Thotharamudi	140/10A Part	0.018
			140/10B Part	0.079
			141/4 Part	0.030
			141/5 Part	0.099
			141/7 Part	0.008

1	2	3	4	5	1	2	3	4	5
East	Ainavilli	Thothara	174/1 Part	0.095	East	Ainavilli	Jaganna-	43/5 Part	0.067
Godavari		mudi	174/4A Part	0.051	Godavari		dhapuram	43/7 Part	0.054
			174/4D Part	0.039				43/8 Part	0.075
			174/4E Part	0.040				42/1 Part	0.065
			174.5 Part	0.106				42/2 Part	0.069
			174/6C Part	0.078				42/3 Part	0.113
			166/2&3 Part	0.192				54/5 Part	0.092
			167/3 Part	0.237				54/6 Part	0.025
			168/1F Part	0.089				54/7 Part	0.035
			168/1G Part	0.018				57/1 Part	0.543
			168/1H Part	0.051				61/1 Part	0.128
			168/1E Part	0.044				61/3 Part	0.094
			168/1I Part	0.128				61/4 Part	0.094
			168/1J Part	0.150				62 Part	0.059
			168/1D Part	0.014				91/1 Part	0.158
			Total	1.567				94/7 Part	0.109
		Sanapalli-	61/1&2 Part	0.363				94/3&6 Part	0.041
		lanka	62/5C Part	0.103				94/5 Part	0.089
			62/5C Part	0.288				94/4 Part	0.002
			63/5C Part	0.040				96/2 Part	0.316
			Total	0.794				97/3 Part	0.118
		Jaganna-	10/9 Part	0.118				97/8 Part	0.049
		dhapuram	9/2 Part	0.014				Total	3.755
			10/8 Part	0.010			Krapa	138/8 Part	0.079
			10/1 Part	0.237				138/9 Part	0.020
			12/2B Part	0.122				138/9B Part	0.008
			12/3 Part	0.089				138/9C Part	0.055
			45/5D,					157/5 Part	0.138
			C&B Part	0.158				159/1 Part	0.198
			45/4 Part	0.079				158/2 & 3 Part	0.207
			45/8 Part	0.168				162/1 Part	0.178
			44/7 Part	0.099				163/1 Part	0.039
			44/8 Part	0.059				163/2 Part	0.089
			44/9 & 6 Part	0.138				155 Part	0.030
			43/4 Part	0.067				Total	1.041

[F. No. L-14014/15/03-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 12 अगस्त, 2003

का.आ. 2381.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में राष्ट्रीय गैस ग्रिड परियोजना के अधीन दहेज-हजीरा-उरान-धाबोल पाइपलाइन सेक्टर के माध्यम से प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा अतिरिक्त पाइपलाइनें बिछाने और सहयुक्त सुविधाओं की व्यवस्था के साथ एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी भारत के राजपत्र में यथा प्रकाशित अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, 7वाँ तल, बी-विंग, आरसीएफ़ त्रियदर्शिनी बिल्डिंग, मुम्बई-400 022 (महाराष्ट्र) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तालुक	गाँव	सर्वे संख्या	क्षेत्रफल
1	2	3	4	5
ठाणे	कल्याण	रायते	123/5 पी	00-04-00
			123/4 पी	00-01-00
			123/6 पी	00-03-00
			123/3 पी	00-09-00
			123/8 पी	00-11-00
			123/1/1 पी	00-11-00
			123/2 पी	00-05-00
			121/2 पी	00-08-00
			121/1 पी	00-46-00
			120/1 पी	00-04-00
			119/3 पी	00-04-00
			119/2 पी	00-06-00
			91/ पी	00-06-00
			52/6 पी	00-17-00

1	2	3	4	5
ठाणे	कल्याण	रायते	52/5 पी	00-10-00
			52/4 पी	00-07-00
			52/3 पी	00-07-00
			52/2 पी	00-27-00
			52/1 पी	00-07-00
			47 पी	00-09-00
			57/6 पी	00-42-00
			57/5 पी	00-23-00
			57/4 पी	00-05-00
			58/5 पी	00-01-00
			58/6 पी	00-02-00
			58/4 पी	00-02-00
			58/3 पी	00-21-00
			58/7 पी	
			58/8 पी	
			58/9 पी	00-12-00
			58/12 पी	00-06-00
			58/14 पी	00-02-00
			58/13 पी	00-01-00
			44/9 पी	00-20-00
			44/8 पी	00-10-00
			44/7 पी	00-16-00
			44/6 पी	00-12-00
			44/5 पी	00-01-00
			67/7 पी	00-02-00
			67/5 पी	00-01-00
			67/4 पी	00-05-00
			67/3 पी	00-04-00
			67/2 पी	00-02-00
		राये	67/1 पी	00-14-00
			8 पी	00-73-00
			16 पी	00-08-00
			17/1 पी	00-02-00
			17/4 पी	00-19-00
			17/2 पी	00-02-80
		टीटवाला	247 पी	00-81-00
		चिचवली	7/6 पी	00-10-00
			7/7 पी	00-22-00
			7/4 पी	00-16-00
			7/5 पी	00-02-00
			9/3 पी	00-01-00

1	2	3	4	5	1	2	3	4	5
ठाणे	कल्याण	चिंचवली	9/1 पी	00-13-00	ठाणे	कल्याण	उटणे	77/8 पी	00-09-00
			9/11 पी	00-03-00				77/7 पी	00-10-00
			9/10 पी	00-07-00				77/6 पी	00-01-00
			9/12 पी	00-01-00				77/5 पी	00-01-00
			9/9 पी	00-02-00				77/4 पी	00-13-00
			19 पी	00-03-00				79/7 पी	00-23-00
			19/3 पी	00-03-00				79/3/1 पी	00-11-00
			19/2 पी	00-12-00				79/3/2 पी	00-67-00
			19/4 पी				घोडासई	30 पी	00-32-00
			19/5 पी					25 पी	00-21-00
			19/6 पी	00-05-00				42/3 पी	00-01-00
			11/1 पी	00-20-00				42/2 पी	00-07-00
			11/2 पी	00-06-00				42/1 पी	00-13-00
			11/11 पी	00-45-00				42/9 पी	00-01-00
			11/8/1 पी	00-05-00				42/8 पी	00-09-00
			11/2 पी	00-05-00				49 पी	00-04-00
			11/9 पी	00-01-00				53/3 पी	00-01-00
			11/10 पी	00-01-00				53/2 पी	00-10-00
			18/1 पी	00-01-00				53/4 पी	00-04-00
			18/6 पी	00-08-00				69 पी	00-04-00
			18/5 पी	00-01-00				70/5 पी	00-01-00
			18/4 पी	00-11-00				70/3 पी	00-08-00
			18/3 पी					85/1 पी	00-07-00
			16 पी	00-17-00				85/2/1 पी	00-02-00
		नडगम	163 पी	00-57-00				85/11 पी	00-01-00
			164 पी	00-15-00				85/2/2 पी	00-08-00
		उटणे	112/1 पी	00-19-00				85/7 पी	00-14-00
			112/3 पी	00-09-00				85/5 पी	00-08-00
			112/4 पी	00-02-00				85/6 पी	00-03-00
			112/5 पी	00-08-00				86/1 पी	00-08-00
			112/6 पी	00-03-00				86/2 पी	00-05-00
			112/7 पी	00-01-00				95/1 पी	00-21-00
			110/1 पी	00-12-00				95/2ए पी	00-01-00
			110/7/2 पी	00-36-00				95/2बी पी	00-09-00
			110/8 पी	00-23-00				95/3 पी	00-10-00
			76/1 पी	00-18-00				95/4 पी	00-22-00
			76/3 पी	00-04-00				95/5 पी	00-04-00
			55/4 पी	00-04-00				95/7/1 पी	00-20-00
			55/3 पी	00-10-00				95/6 पी	00-17-00
			77/9 पी	00-03-00				95/7/2 पी	00-33-00

[illegible]

1	2	3	4	5	1	2	3	4	5
ठाणे	भिवंडी	किरवली	139/2 पी	00-05-00	ठाणे	वाडा	विजयगढ़	14/9	00-18-00
			139/4 पी	00-11-00				13/2	00-01-00
			139/1 पी	00-01-00				13/3	00-13-00
			139/5/1 पी	00-07-00				14/1	00-01-00
			139/5/2 पी	00-07-00				2/12	00-09-00
			22/1 पी	00-02-00			डोंगस्ते	34/1 बी पी	00-18-00
			22/2 पी	00-02-00				34/1 ए पी	
			22/3 पी	00-07-00				34/1 सी पी	
			21/15 पी	00-08-00				34/4 पी	00-02-01
			21/8 पी	00-11-00				34/10 पी	00-07-09
			21/14 पी	00-17-00				34/12 पी	00-10-03
			85/3 पी	00-07-00				34/15 पी	00-03-00
			85/2 पी	00-01-00				34/16 पी	00-11-06
			81/1 पी	00-03-00				33/1 पी	00-14-01
			81/2 पी	00-09-00				33/2 पी	
		खरीवली	59 पी	00-10-00				34/19 पी	00-00-02
			65/3 बी पी	00-11-00				37/1 पी	00-19-01
			65/3 ए पी	00-08-00				36/2 पी	00-07-03
			65/2 पी	00-05-00				37/2 पी	00-18-08
			65/4 पी	00-01-00				37/3 पी	00-16-02
			65/1 पी	00-01-00				39/2 पी	00-14-03
		जांभिवली	61/4 पी	00-03-00				39/3 पी	00-23-00
			38/1 पी	00-05-00				39/4 पी	00-03-08
		खलिंग	111 पी	00-10-00				4/1 पी	00-00-09
		बुद्रूक	116/3 पी	00-05-00				40/3 पी	00-03-00
		गोदावली	22 पी	00-08-00				4/7 पी	00-00-01
	वाडा	विजयगढ़	3/1	00-11-00				40/5 ए से ई	00-33-01
			3/5	00-20-00				42/3 पी	00-01-03
			3/7	00-18-00				1/1 पी	00-00-08
			2/1	00-14-00				1/2 पी	00-15-01
			2/3/1	00-03-00				1/5 पी	00-04-03
			1/2	00-14-00				1/4 पी	00-16-02
			2/4/1	00-01-00				1/7 पी	00-00-03
			2/5	00-02-00				1/8 पी	00-04-09
			2/6/1	00-05-00				1/9 पी	00-08-40
			1/3/1	00-12-00				14/7 पी	00-01-02
			11/1/1	00-22-00				1/10 पी	00-01-02
		गवथान		00-04-00				14/12 पी	00-12-00
			112/एबीसी	00-14-00				17/2 पी	00-22-03
			14/1	00-09-00				17/4 पी	00-05-09
			14/3	00-05-00					
			14/2	00-06-00					

1	2	3	4	5
ठाणे	वाडा	डोंगस्ते	17/5 पी	00-07-07
			17/6 पी	00-00-05
			17/9 पी	00-12-09
			17/10 पी	00-11-03
			20/2ए से सी	00-12-02
			20/4ए, बी पी	00-05-07
			20/3ए पी	00-06-04
			20/5 पी	00-08-03
			20/6 पी	00-01-00

[फा. सं. एल-14014/29/03-जी. पी.]

स्वामी सिंह, निदेशक

New Delhi, the 12th August, 2003

S.O. 2381.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Dahej-Hazira-Uran-Dhabol Pipeline Sector under National Gas Grid Project in the State of Maharashtra, a pipeline with provision of laying additional pipelines and associated facilities should be laid by the GAIL (India) Limited;

And whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under sub-section (1) of section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to the Competent Authority, GAIL (India) Limited, 7th Floor, B-Wing, RCF Priyadarshini Building, Mumbai-400022 (Maharashtra)

SCHEDULE

District	Taluka	Village	Survey No.	Area
1	2	3	4	5
Thane	Kalyan	Rayte	123/5 P	00-04-00
			123/4 P	00-01-00
			123/6 P	00-03-00
			123/3 P	00-09-00
			123/8 P	00-11-00

1	2	3	4	5
Thane	Kalyan	Rayte	123/1/1 P	00-11-00
			123/2 P	00-05-00
			121/2 P	00-08-00
			121/1 P	00-46-00
			120/1 P	00-04-00
			119/3 P	00-04-00
			119/2 P	00-06-00
			91/P	00-06-00
			52/6 P	00-17-00
			52/5 P	00-10-00
			52/4 P	00-07-00
			52/3 P	00-07-00
			52/2 P	00-27-00
			52/1 P	00-07-00
			47 P	00-09-00
			57/6 P	00-42-00
			57/5 P	00-23-00
			57/4 P	00-05-00
			58/5 P	00-01-00
			58/6 P	00-02-00
			58/4 P	00-02-00
			58/3 P	00-21-00
			58/7 P	
			58/8 P	
			58/9 P	00-12-00
			58/12 P	00-06-00
			58/14 P	00-02-00
			58/13 P	00-01-00
			44/9 P	00-20-00
			44/8 P	00-10-00
			44/7 P	00-16-00
			44/6 P	00-12-00
			44/5 P	00-01-00
			67/7 P	00-02-00
			67/5 P	00-01-00
			67/4 P	00-05-00
			67/3 P	00-04-00
			67/2 P	00-02-00
			67/1 P	00-14-00
		Raye	8 P	00-73-00
			16 P	00-08-00
			17/1 P	00-02-00
			17/4 P	00-19-00
			17/2 P	00-02-80

1	2	3	4	5	1	2	3	4	5
Thane	Kalyan	Titawala	247 P	00-81-00	Thane	Kalyan	Utane	77/8 P	00-09-00
		Chincha-					—(Contd.)	77/7 P	00-10-00
		wali	7/6 P	00-10-00				77/6 P	00-01-00
			7/7 P	00-22-00				77/5 P	00-01-00
			7/4 P	00-16-00				77/4 P	00-13-00
			7/5 P	00-02-00				79/7 P	00-23-00
			9/3 P	00-01-00				79/3/1 P	00-11-00
			9/1 P	00-13-00				79/3/2 P	00-67-00
			9/11 P	00-03-00			Ghotsai	30 P	00-32-00
			9/10 P	00-07-00				25 P	00-21-00
			9/12 P	00-01-00				42/3 P	00-01-00
			9/9 P	00-02-00				42/2 P	00-07-00
			19 P	00-03-00				42/1 P	00-13-00
			19/3 P	00-03-00				42/9 P	00-01-00
			19/2 P	00-12-00				42/8 P	00-09-00
			19/4 P					49 P	00-04-00
			19/5 P					53/3 P	00-01-00
			19/6 P	00-05-00				53/2 P	00-10-00
			11/1 P	00-20-00				53/4 P	00-04-00
			11/2 P	00-06-00				69 P	00-04-00
			11/11 P	00-45-00				70/5 P	00-01-00
			11/8/1 P	00-05-00				70/3 P	00-08-00
			11/2 P	00-05-00				85/1 P	00-07-00
			11/9 P	00-01-00				85/2/1 P	00-02-00
			11/10 P	00-01-00				85/11 P	00-01-00
			18/1 P	00-01-00				85/2/2 P	00-08-00
			18/6 P	00-08-00				85/7 P	00-14-00
			18/5 P	00-01-00				85/5 P	00-08-00
			18/4 P	00-11-00				85/6 P	00-03-00
			18/3 P					86/1 P	00-08-00
			16 P	00-17-00				86/2 P	00-05-00
		Nadgam	163 P	00-57-00				95/1 P	00-21-00
			164 P	00-15-00				95/2A P	00-01-00
		Utane	112/1 P	00-19-00				95/2B P	00-09-00
			112/3 P	00-09-00				95/3 P	00-10-00
			112/4 P	00-02-00				95/4 P	00-22-00
			112/5 P	00-08-00				95/5 P	00-04-00
			112/6 P	00-03-00				95/7/1 P	00-20-00
			112/7 P	00-01-00				95/6 P	00-17-00
			110/1 P	00-12-00				95/7/2 P	00-33-00
			110/7/2 P	00-36-00			Maskal	106 P	00-06-00
			110/8 P	00-23-00				95 P	00-33-00
			76/1 P	00-18-00				123 P	00-44-00
			76/3 P	00-04-00				125 P	00-33-00
			55/4 P	00-04-00					
			55/3 P	00-10-00					
			77/9 P	00-03-00					

1	2	3	4	5	1	2	3	4	5
Thane	Kalyan	Apti			Thane	Amber	Chikha	25/15 P	00-15-00
	(Contd.)	(Choun)	72 P	00-23-00		nath	loli	25/1 P	00-13-00
			77/1 P	00-06-00		—(Contd.)		15/2 P	00-16-00
			77/16 P	00-03-00				12/3 P	00-19-00
			77/15 P	00-01-00				12/1 P	00-33-00
			77/14 P	00-08-00				4/1 P	00-13-00
			77/2 P	00-01-00				4/2 P	00-18-00
			41/1 P	00-03-00				4/3 P	00-22-00
			42/3 P	00-15-00				2 P	00-03-00
			42/2 P	00-02-00				143/6 P	00-16-00
			38/3 P	00-08-00				143/7 P	00-02-00
			38/2 P	00-07-00				128/0 P	17-01-2000
			38/4/3 P	00-07-00			Wadi	144 P	00-29-00
			38/4/2 P	00-10-00				211 P	00-08-00
			38/5 P	00-10-00				210 P	00-42-00
			38/6 P	00-04-00				187 P	00-20-00
			38/7 P	00-02-00				27/6 P	00-15-00
			38/1 P	00-03-00				27/5 P	00-11-00
	Jambul		50 P	00-19-00				27/4 P	00-31-00
	Mohali		53 P	00-94-00				27/1 P	00-04-00
	Vaholi		70 P	00-31-00				27/2 P	00-08-00
			60/1 P	00-54-00			Kharad	22	00-47-00
			60/2 P	00-90-00				23	00-23-00
			60/3 P	00-40-00				24	00-29-00
			74/4/2 P	00-14-00			Ambe	28	00-21-00
			75 P	00-21-00			Kakoley	Pond	01-89-00
			138/1 P	00-31-00		Bhi-	Padghe	25 P	00-22-00
			138/2 P	00-57-00		wandi		167/1 P	00-36-00
			49/3 P	00-11-00				167/4 P	00-03-00
			49/10 P	00-13-00				167/3 P	00-20-00
			59/5 P	00-40-00				38 P	00-53-00
			59/4 P	00-34-00			Kirawali	139/2 P	00-05-00
			58 P	00-34-00				139/4 P	00-11-00
			54/1 P	00-17-00				139/1 P	00-01-00
			54/2 P	00-76-00				139/5/1 P	00-07-00
			55/1 P	00-16-00				139/5/2 P	00-07-00
								22/1 P	00-02-00
								22/2 P	00-02-00
								22/3 P	00-07-00
								21/15 P	00-08-00
								21/8 P	00-11-00
								21/14 P	00-17-00
								85/3 P	00-07-00
								85/2 P	00-01-00
								81/1 P	00-03-00
								81/2 P	00-09-00
	Amber-	Chikha-							
	nath	loli	55 P	00-76-00					
			29/3 P	00-02-00					
			29/2 P	00-26-00					
			28/3 P	00-18-00					
			28/4 P	00-08-00					
			28/2 P	00-09-00					
			28/1 P	00-10-00					
			25/3 P						
			25/2 P	00-05-00					

1	2	3	4	5	1	2	3	4	5
Thane	Bhiwandi	Kharivali	59 P	00-10-00	Thane	Wada	Dongeste	34/16 P	00-11-06
			65/3BP	00-11-00				33/1 P }	
			65/3AP	00-08-00				33/2 P }	00-14-01
			65/2 P	00-05-00				34/19 P	00-00-02
			65/4 P	00-01-00				37/1 P	00-19-01
			65/1 P	00-01-00				36/2 P	00-07-03
		Jambhivali	61/4 P	00-03-00				37/2 P	00-18-08
			38/1 P	00-05-00				37/3 P	00-16-02
		Khaling	111 P	00-10-00				39/2 P	00-14-03
		Budruk	116/3 P	00-05-00				39/3 P	00-23-00
		Godrawali	22 P	00-08-00				39/4 P	00-03-08
	Wada	Vijaygad	3/1	00-11-00				4/1 P	00-00-09
			3/5	00-20-00				40/3 P	00-03-00
			3/7	00-18-00				4/7 P	00-00-01
			2/1	00-14-00				40/5A to E	00-33-01
			2/3/1	00-03-00				42/3 P	00-01-03
			1/2	00-14-00				1/1 P	00-00-08
			2/4/1	00-01-00				1/2 P	00-15-01
			2/5	00-02-00				1/5 P	00-04-03
			2/6/1	00-05-00				1/4 P	00-16-02
			1/3/1	00-12-00				1/7 P	00-00-03
			11/1/1	00-22-00				1/8 P	00-04-09
		Gavthan		00-04-00				1/9 P	00-08-40
		112/ABC		00-14-00				14/7 P	00-01-02
		14/1		00-09-00				1/10 P	00-01-02
		14/3		00-05-00				14/12 P	00-12-00
		14/2		00-06-00				17/2 P	00-22-03
		14/9		00-18-00				17/4 P	00-05-09
		13/2		00-01-00				17/5 P	00-07-07
		13/3		00-13-00				17/6 P	00-00-05
		14/1		00-01-00				17/9 P	00-12-09
		2/12		00-09-00				17/10 P	00-11-03
		Dongeste	34/1BP }					20/2A to C	00-12-02
			34/1AP }	00-18-00				20/4A, BP	00-05-07
			34/1CP }					20/3AP	00-06-04
			34/4 P	00-02-01				20/5 P	00-08-03
			34/10 P	00-07-09				20/6 P	00-01-00
			34/12 P	00-10-03					
			34/15 P	00-03-00					

[F. No. L-14014/29/03-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 12 अगस्त, 2003

का.आ. 2382.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में राष्ट्रीय गैस ग्रिड परियोजना के अधीन दहेज-हजीरा-उरान-धाबोल पाइपलाइन सेक्टर के माध्यम से प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा अतिरिक्त पाइपलाइनें बिछाने और सहयुक्त सुविधाओं की व्यवस्था के साथ एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी भारत के राजपत्र में यथा प्रकाशित अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, 7वाँ तल, बी-विंग, आरसीएफ प्रियदर्शिनी बिल्डिंग, मुम्बई-400022 (महाराष्ट्र) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तालुक	गाँव	सर्वे संख्या	क्षेत्रफल
1	2	3	4	5
रायगढ़	पनवेल	पलस्ये	19/2	0-10-00
			6/1	0-02-00
			6/2 & 6/3	00-09-30
			रीवर	0-09-00
		कोन	20/4	00-05-00
			20/5	0-14-00
			14/5ए	00-05-00
			14/5बी	00-11-00
			19/1	00-26-00
			19/2	00-04-00
			19/7	00-09-00
			9/1	00-15-00
			9/2	00-15-00
			9/3	00-02-00
			9/4	00-01-00

1	2	3	4	5
रायगढ़	पनवेल	नेरे	153/2	00-28-00
			153/4	00-32-00
			153/6	00-05-00
			153/7	00-21-00
			153/8	00-17-00
			153/10	00-26-00
			153/11	00-03-00
			153/12	00-08-00
			18/0	0-33-00
			96/1	0-37-00
			96/2	0-14-00
			96/3	0-32-00
		डेरवली	48/1	0-01-00
			48/2	0-14-00
			47/2	0-24-00
		विहिघर	65/2	0-11-00
			69/0	0-19-00
			70/0	0-17-00
			71/0	0-08-00
		कोल्खे	13/0	0-05-00
		रेलवे		0-66-00
			30/0	0-09-00
		हाइवे		0-10-00
		बावनजे	35/0	0-13-00
		वाकडी	15/8	0-46-00
			15/11	0-06-00
			139/1	0-14-00
			139/5	0-08-00
			139/6	0-06-00
			138/10	0-03-00
			138/15	0-16-00
			138/0	0-29-00
			135/0	0-11-00
			रीवर	0-34-00
		निताले	86/0	0-20-00
			8/0	0-57-00
			127/0	0-29-00
		खानव	92/2	0-02-00
			92/4	0-05-00
			92/5	0-17-00
			87/1	0-04-00
			87/2	0-20-00
			87/3	0-14-00
			सी. टी.	0-26-00

1	2	3	4	5
रायगढ़	पनवेल	महोदर	160/2	0-04-00
			160/3	0-15-00
			160/4	0-17-00
			160/5	0-02-00
			160/6	0-18-00
		महालुनी	60/1	0-04-00
			60/2	0-18-00
			60/12	0-17-00
			60/6	0-21-00
		चिंधण	26/3	0-31-00
			26/4	0-21-00
			26/6	0-10-00
			26/7	0-01-00
			26/5	0-10-00
			30/2	0-16-00
		चिखले	25/0	0-36-00
			23/0	0-29-00
			53/1	0-10-00
			53/2	0-05-00
			53/4	0-14-00
			62/5	0-16-00
			62/4	0-13-00
			61/1	0-10-00
			61/2	0-08-00
			61/3	0-22-50
			61/6	0-00-50
			61/5	0-07-00
			60/1	0-08-00
			60/2	0-16-00
			60/5	0-08-00
			95/1	0-03-00
			95/4	0-12-00
			95/3	0-21-00
			95/2	0-04-00
			95/5	0-07-00
		खाडी		0-19-00
		मोहो	14/0	0-20-00
			16/1	0-14-00
			16/2	0-06-00
			16/3	0-14-00
			19/4	0-37-00
			25/4	0-17-00
			25/2	0-02-00
			25/3	0-22-00
			82/2	0-42-00
			42/0	0-12-00
			59/5	0-14-00
			59/4	0-14-00

1	2	3	4	5
रायगढ़	पनवेल	मोहो	9/1	0-12-00
			64/3	0-08-00
			64/4	0-12-00
			76/2	0-16-00
			76/4	0-13-00
			77/1	0-15-00
			77/2	0-04-00
			77/4	0-05-00
			77/5	0-07-00
			85/1	0-27-00
			85/2	0-14-00

[फा. सं. एल-14014/29/03-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 12th August, 2003

S.O. 2382.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Dahej-Hazira-Uran-Dhabol Pipeline Sector under National Gas Grid Project in the State of Maharashtra, a pipeline with provision of laying additional pipelines and associated facilities should be laid by the GAIL (India) Limited;

And whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty-one-days from the date on which the copies of the notification issued under sub-section (1) of section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to the Competent Authority, GAIL (India) Limited, 7th Floor, B-Wing, RCF Priyadarshini Building, Mumbai-400 022 (Maharashtra)

SCHEDULE

District	Taluka	Village	Survey No.	Area
1	2	3	4	5
Raigad	Panvel	Palaspe	19/2	0-10-00
			6/1	0-02-00
			6/2 & 6/3	00-09-30
			River	0-09-00

1	2	3	4	5	1	2	3	4	5
Raigad	Panvel	Kon	20/4	00-05-00	Raigad	Panvel	Nitale	86/0	0-20-00
			20/5	0-14-00				8/0	0-57-00
			14/5A	00-05-00				127/0	0-29-00
			14/5B	00-11-00			Khanav	92/2	0-02-00
			19/1	00-26-00				92/4	0-05-00
			19/2	00-04-00				92/5	0-17-00
			19/7	00-09-00				87/1	0-04-00
			9/1	00-15-00				87/2	0-20-00
			9/2	00-15-00				87/3	0-14-00
			9/3	00-02-00				C.T.	0-26-00
			9/4	00-01-00			Mohodar	160/2	0-04-00
		Nere	153/2	00-28-00				160/3	0-15-00
			153/4	00-32-00				160/4	0-17-00
			153/6	00-05-00				160/5	0-02-00
			153/7	00-21-00				160/6	0-18-00
			153/8	00-17-00			Mahalungi	60/1	0-04-00
			153/10	00-26-00				60/2	0-18-00
			153/11	00-03-00				60/12	0-17-00
			153/12	00-08-00				60/6	0-21-00
			18/0	0-33-00			Chindran	26/3	0-31-00
			96/1	0-37-00				26/4	0-21-00
			96/2	0-14-00				26/6	0-10-00
			96/3	0-32-00				26/7	0-01-00
		Dervali	48/1	0-01-00				26/5	0-10-00
			48/2	0-14-00				30/2	0-16-00
			47/2	0-24-00			Chikhale	25/0	0-36-00
		Vihighar	65/2	0-11-00				23/0	0-29-00
			69/0	0-19-00				53/1	0-10-00
			70/0	0-17-00				53/2	0-05-00
			71/0	0-08-00				53/4	0-14-00
		Kolkhe	13/0	0-05-00				62/5	0-16-00
			Railway	0-66-00				62/4	0-13-00
			30/0	0-09-00				61/1	0-10-00
			Highway	0-10-00				61/2	0-08-00
		Wavanje	35/0	0-13-00				61/3	0-22-00
		Wakadi	15/8	0-46-00				61/6	0-00-50
			15/11	0-06-00				61/5	0-07-00
			139/1	0-14-00				60/1	0-08-00
			139/5	0-08-00				60/2	0-16-00
			139/6	0-06-00				60/5	0-08-00
			138/10	0-03-00				95/1	0-03-00
			138/15	0-16-00				95/4	0-12-00
			138/0	0-29-00				95/3	0-21-00
			135/0	0-11-00				95/2	0-04-00
			River	0-34-00				95/5	0-07-00
							Khadi		0-19-00

1	2	3	4	5
Raigad	Panvel	Moho	14/0	0-20-00
			16/1	0-14-00
			16/2	0-06-00
			16/3	0-14-00
			19/4	0-37-00
			25/4	0-17-00
			25/2	0-02-00
			25/3	0-22-00
			82/2	0-42-00
			42/0	0-12-00
			59/5	0-14-00
			59/4	0-14-00
			59/1	0-12-00
			64/3	0-08-00
			64/4	0-12-00
			76/2	0-16-00
			76/4	0-13-00
			77/1	0-15-00
			77/2	0-04-00
			77/4	0-05-00
			77/5	0-07-00
			85/1	0-27-00
			85/2	0-14-00

[F.No.L-14014/29/03-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 12 अगस्त, 2003

का. आ. 2383.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पॉन्डिचेरी राज्य में के एस सी एल से प्रवीण केम इन्डस्ट्री एंड मालपरो सिलिकेट गैस पाइपलाइन तक प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा अतिरिक्त पाइपलाइनें बिछाने और सहयुक्त सुविधाओं की व्यवस्था के साथ एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, सक्षम

प्राधिकारी, गेल (इण्डिया) लिमिटेड, कावेरी परियोजना, 19, पेरूमल पूर्वी गली, नागापट्टिनम-611001 (तमिलनाडु) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तालुक	गाँव	सर्वे संख्या	अर्जित क्षेत्रफल (हेक्टर में)
1	2	3	4	5
पॉन्डिचेरी	कारैकल	37, वन्जौर	59/2 भाग	0-16-5
			60/1	0-01-5
			60/2	0-01-5
			60/3	0-02-0
			60/5	0-03-5
			60/6	0-02-0
			61/1	0-01-0
			61/2	0-02-5
			61/3	0-05-0
			62/1	0-02-5
			62/2	0-01-0
			62/4	0-02-5
			62/5	0-03-0
			62/6	0-01-0
			63/1	0-04-5
			63/3	0-03-0
			63/4	0-02-0
			63/5	0-01-0
			64/1	0-03-0
			64/2	0-01-0
			64/3	0-02-0
			64/4	0-07-0
			65/1ए	0-01-5
			65/1बी2	0-01-0
			65/4	0-00-5 जीपी
			65/1बी1	0-00-5
			75	0-02-0 जीपी
			कुल	0-74-5

[फा. सं. एल-14014/32/03-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 12th August, 2003

S.O. 2383.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas from KSCL to Praveen Chem Industry and Malpro Silicate gas pipeline in the State of Pondicherry, a pipeline with provision of laying additional pipelines and associated facilities should be laid by the GAIL (India) Limited;

And, whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under sub-section (1) of section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to the Competent Authority, GAIL (India) Limited, Cauveri Project, 19, Perumal East Street, Nagapattinam-611001 (Tamilnadu).

SCHEDULE

District	Taluka	Village	Survey No.	Area Acquired (in Hect.)
1	2	3	4	5
Pondicherry	Karaikal	37, Vanjoor	59/2 Pt.	0-16-5
			60/1	0-01-5
			60/2	0-01-5
			60/3	0-02-0
			60/5	0-03-5
			60/6	0-02-0
			61/1	0-01-0
			61/2	0-02-5
			61/3	0-05-0
			62/1	0-02-5
			62/2	0-01-0
			62/4	0-02-5
			62/5	0-03-0
			62/6	0-01-0
			63/1	0-04-5
			63/3	0-03-0
			63/4	0-02-0
			63/5	0-01-0
			64/1	0-03-0
			64/2	0-01-0
			64/3	0-02-0

1	2	3	4	5
Pondicherry	Karaikal	37 Vanjoor (Contd.)	64/4 65/1A 65/1B2 65/4 65/1B1 75	0-07-0 0-01-5 0-01-0 0-00-5GP 0-00-5 0-02-0GP
Total				0-74-5

[F. No. L-14014/32/03-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 12 अगस्त, 2003

का.आ. 2384.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पॉन्डिचेरी राज्य में एस आर सी एम से जो आर एस एल (कुरुमबाग्राम) गैस पाइपलाइन तक प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा अतिरिक्त पाइपलाइनें बिछाने और सहयुक्त सुविधाओं की व्यवस्था के साथ एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, कावेरी परियोजना, 19, पेरूमल पूर्वी गली, नागापट्टिनम-611001 (तमिलनाडु) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तालुक	गाँव	सर्वे संख्या	अर्जित क्षेत्रफल (हेक्टर में)
1	2	3	4	5
पॉन्डिचेरी	कारैकल	5, नेदुन्कडु	291/1	0.00.5
			291/2	0.01.5
			291/3	0.01.0
			291/5	0.03.0

1	2	3	4	5	1	2	3	4	5
पान्डिचेरी कारैकल	5, नेदुन्कडु	152/2	0.03.5	जीपी	पान्डिचेरी कारैकल	5, नेदुन्कडु	90/3	0-17-0	
	(जारी)	151/3	0.01.5	जीपी		(जारी)	90/4	0-01-0	जीपी
		139/3	0.00.5	जीपी			89/1	0-00-5	जीपी
		139/4	0-03-0	जीपी			89/2	0-01-0	जीपी
		140/5	0-04-5				85	0-35-0	
		140/3	0-02-5				52/1	0-04-5	
		141/1बी	0-00-5				52/2	0-04-0	जीपी
		141/2	0-03-0				52/3	0-00-5	
		141/3	0-05-5				52/5	0-00-5	
		141/4	0-05-0				53/5	0-11-5	
		149/2	0-06-5				54	0-01-5	जीपी
		149/6	0-01-5	जीपी			55/1	0-00-5	जीपी
		148/1	0-01-5	जीपी			55/3	0-02-0	
		148/4	0-07-0				55/4	0-12-5	
		167/2	0-05-5				55/5	0-00-5	
		167/3	0-08-5				55/6	0-00-5	
		167/4	0-05-0				58/2ए	0-02-5	
		170	0-01-5	जीपी			58/2बी	0-05-5	
		173/1	0-03-0				59/1	0-01-0	जीपी
		173/2ए	0-03-5				59/2	0-05-0	
		173/2बी	0-06-0				59/3	0-06-5	
		173/3	0-00-5				62/1	0-06-0	
		173/4	0-01-0				62/2	0-05-5	
		173/5	0-02-0				64/1	0-10-0	
		173/6	0-06-5				64/2	0-07-5	
		174/2	0-07-5				64/3	0-00-5	जीपी
		174/3	0-00-5				66/3	0-00-5	
		179/1	0-10-5				66/4	0-05-0	
		179/3	0-00-5				66/6	0-00-5	जीपी
		179/5	0-00-5				71/1	0-01-0	
		193/1	0-03-0				71/2ए	0-12-0	
		193/4	0-11-5				68	0-02-0	जीपी
		195/3	0-10-5				कुल	3-24-0	
		195/4	0-01-0			6, कुरूम-			
		195/5	0-03-5			बगरम्	221/6	0-02-0	
		195/6	0-03-0				221/7	0-06-0	
		194	0-01-5	जीपी			221/8	0-01-0	
		91/2	0-02-0				221/11	0-01-0	जीपी
		90/1	0-09-0				229/6	0-00-5	
		90/2	0-00-5	जीपी			229/7	0-08-5	

1	2	3	4	5
पान्डिचेरी कारैकल	6, कुरुम-बगरम्	229/16	0-00-5	जीपी
		230/1	0-07-0	
		230/2	0-00-5	
		230/5	0-02-0	
		230/7	0-02-5	
		230/8	0-08-0	
		230/9	0-00-5	
		230/11	0-00-5	जीपी
		233/1	0-03-0	
		233/4	0-02-5	
		233/5	0-02-5	
		233/7	0-03-0	
		233/9	0-02-5	
		233/10	0-02-5	
		234/1	0-02-0	
		234/2ए	0-01-0	
		234/2बी	0-01-5	
		234/3	0-02-5	
		234/4	0-02-5	
		234/5	0-12-0	
		234/6	0-00-5	
		234/7	0-00-5	जीपी
		215/1	0-01-0	जीपी
		215/2	0-06-5	
		214	0-09-5	
		238/3	0-06-5	
		238/5	0-03-5	
		238/8	0-04-0	
		कुल	1-04-0	

[फा. सं. एल-14014/33/03-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 12th August, 2003

S.O. 2384.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas from SRCM to GRSL (Kurumbagaram) gas pipeline in the State of Pondicherry, a pipeline with provision of laying additional pipelines and associated facilities should be laid by the GAIL (India) Limited;

And whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under

which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to the Competent Authority, GAIL (India) Limited, Cauveri Project, 19, Perumal East Street, Nagapattinam-611001 (Tamilnadu).

SCHEDULE

District	Taluk	Village	Survey No.	Area Acquired (in Hect.)
1	2	3	4	5
Pondicherry	Karaikal	5, Nedunkadu	291/1	0-00-5 GP
			291/2	0-01-5
			291/3	0-01-0
			291/5	0-03-0
			152/2	0-03-5 GP
			151/3	0-01-5 GP
			139/3	0-00-5 GP
			139/4/	0-03-0 GP
			140/5	0-04-5
			141/3	0-02-5
			141/1B	0-00-5
			141/2	0-03-0
			141/3	0-05-5
			141/4	0-05-0
			149/2	0-06-5
			149/6	0-01-5 GP
			148/1	0-01-5 GP
			148/4	0-07-0
			167/2	0-05-5
			167/3	0-08-5
			167/4	0-05-0
			170	0-01-5 GP
			173/1	0-03-0
			173/2A	0-03-5
			173/2B	0-06-0
			73/3	0-00-5
			173/4	0-01-0
			173/5	0-02-0
			173/6	0-06-5

1	2	3	4	5	1	2	3	4	5
Pondi-cherry	Karaikal	5, Nedunkadu	174/2	0-07-5	Pondi-cherry	Karaikal	5, Nedunkadu	66/6	0-00-5 GP
			174/3	0-00-5				71/1	0-01-0
			179/1	0-10-5				71/2A	0-12-0
			179/3	0-00-5				68	0-02-0 GP
			179/5	0-00-5				Total	3-24-0
			193/1	0-03-0			6, Kurum-	221/6	0-02-0
			193/4	0-11-5			bagaram	221/7	0-06-0
			195/3	0-10-5				221/8	0-01-0
			195/4	0-01-0				221/11	0-01-0 GP
			195/5	0-03-5				229/6	0-00-5
			195/6	0-03-0				229/7	0-08-5
			194	0-01-5 GP				229/16	0-00-5 GP
			91/2	0-02-0				230/1	0-01-0
			90/1	0-09-0				230/2	0-00-5
			90/2	0-00-5 GP				230/5	0-02-0
			90/3	0-17-0				230/7	0-02-5
			90/4	0-01-0 GP				230/8	0-08-0
			89/1	0-00-5 GP				230/9	0-00-5
			89/2	0-01-0 GP				230/11	0-00-5 GP
			85	0-35-0				233/1	0-03-0
			52/1	0-04-5				233/4	0-02-5
			52/2	0-04-0 GP				233/5	0-02-5
			52/3	0-00-5				233/7	0-03-0
			52/5	0-00-5				233/9	0-02-5
			53/5	0-11-5				233/10	0-02-5
			54	0-01-5 GP				234/1	0-02-0
			55/1	0-00-5 GP				234/2A	0-01-0
			55/3	0-02-0				234/2B	0-01-5
			55/4	0-12-5				234/3	0-02-5
			55/5	0-00-5				234/4	0-02-5
			55/6	0-00-5				234/5	0-12-0
			58/2A	0-02-5				234/6	0-00-5
			58/2B	0-05-5				234/7	0-00-5 GP
			59/1	0-01-0 GP				215/1	0-01-0 GP
			59/2	0-05-0				215/2	0-06-5
			59/3	0-06-5				214	0-09-5
			62/1	0-06-0				238/3	0-06-5
			62/2	0-05-5				238/5	0-03-5
			64/1	0-10-0				238/8	0-04-0
			64/2	0-07-5				Total	1-04-0
			64/3	0-00-5 GP					
			66/3	0-00-5					
			66/4	0-05-0					

[F. No. L-14014/33/03-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 12 अगस्त, 2003

का.आ. 2385.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पॉन्डिचेरी राज्य में एसएफसीएल से राज फुजन एण्ड मुरुदेश्वर सेरामिक्स लिमिटेड गैस पाइपलाइन तक प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा अतिरिक्त पाइपलाइनें बिछाने और सहयुक्त सुविधाओं की व्यवस्था के साथ पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, कावेरी परियोजना, 19, पेरुमल पूर्वी गली, नागापट्टिनम-611001 (तमिलनाडु) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तालुक	गाँव	सर्वे नं०	अर्जित क्षेत्रफल (हेक्टेयर में)
पॉन्डिचेरी	कारैकल	4, देवमपुरम	152/1	0-01-0 जीपी
			152/3 सी	0-05-5
		कुल		0-06-5

[फा० सं. एल-14014/34/03-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 12th August, 2003

S.O. 2385.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas from SFCL to Raj Fusion and Murudeshwar Ceramics Limited gas pipeline in the State of Pondicherry, a pipeline with provision of laying additional pipelines and associated facilities should be laid by the GAIL (India) Limited;

And whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under

which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to the Competent Authority, GAIL (India) Limited, Cauveri Project, 19, Perumal East Street, Nagapattinam-611001 (Tamilnadu)

SCHEDULE

District	Tahuk	Village	Survey No.	Area Acquired (in Hect.)
Pondicherry	Karaikal	4, Devanapuram	152/1	0-01-0 GP
			152/3 C	0-05-5
			Total	0-06-5

[F. No. L-14014/34/03-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 12 अगस्त, 2003

का.आ. 2386.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पॉन्डिचेरी राज्य में बॉस प्रोफाइल से ए एफ ए (अदिथ्या फेरो एलॉएज) गैस पाइपलाइन तक प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा अतिरिक्त पाइपलाइनें बिछाने और सहयुक्त सुविधाओं की व्यवस्था के साथ एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के

भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, कावेरी परियोजना, 19, पेरुमल पूर्वी गली, नागापट्टिनम-611001 (तमिलनाडु) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तालुक	गाँव	सर्वे संख्या	अर्जित क्षेत्रफल (हेक्टेयर में)
पॉन्डिचेरी	कारैकल	16, सोरकुडी	254/2बी	0-05-0
			253	0-08-5
			252/1ए	0-12-5
			251/1	0-06-0
			256/1	0-01-5
			256/2	0-08-0 जीपी
			कुल	0-41-5

[फा. सं. एल-14014/36/03-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 12th August, 2003

S.O. 2386.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas from Boss Profile to AFA (Adithya Ferro Alloys) gas pipeline in the State of Pondicherry, a pipeline with provision of laying additional pipelines and associated facilities should be laid by the GAIL (India) Limited;

And whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to the Competent Authority, GAIL (India) Limited, Cauveri Project, 19, Perumal East Street, Nagapattinam-611001 (Tamilnadu).

SCHEDULE

District	Taluka	Village	Survey No.	Area Acquired (in Hect.)
Pondi-cherry	Karaikal	16, Sorakuudy	254/2B	0-05-0
			253	0-08-5
			252/1A	0-12-5
			251/1	0-06-0
			256/1	0-01-5
			256/2	0-08-0 GP
			Total	0-41-5

[F.No. L-14014/36/03-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 13 अगस्त, 2003

का.आ. 2387.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में पानेवाडी (मनमाड) संस्थापन से मध्यप्रदेश राज्य में मांगल्या (इंदौर) तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कॉरपोरेशन लिमिटेड द्वारा विस्तार पाइपलाइनें बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइनें बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइनें बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, 21 (इक्कीस) दिन के भीतर, भूमि के नीचे पाइपलाइनें बिछाए जाने के लिए भूमि में उपयोग के अधिकार के संबंध में श्री वी.पी. पाठक, सक्षम प्राधिकारी, मुंबई-मनमाड पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कॉरपोरेशन लिमिटेड, सी/19-ए, स्कीम नं. 78, स्टाइस नं. 5, ए.बी. रोड, इन्दौर-452010 मध्य प्रदेश को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : सांवेर	जिला : इन्दौर	राज्य : मध्य प्रदेश
ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल हैक्टेयर
1	2	3
1. बरदरी	5/1	0.0990
	9	0.0250
	10/1, 10/2	0.2190
	11	0.0512
	12	0.0260

1	2	3	4
2.	भवरासला	1/2/1/1ख, 3/2 ख	0.0290
3.	रेवती	134/3	0.0396
		132/4	0.0610
4.	जाख्या	43/1/1, 43/2/1	
		43/2/2	0.4200
		206	0.0410
		228	0.0450
		249	0.2746
5.	मगरखेड़ा	283	0.0030
		299	0.0420
		170	0.0200
		163	0.0250
		160	0.0140
6.	बीजूखेड़ी	105/1, 105/2	0.0627
		103/2	0.0230
		91	0.0110
		100/3	0.2851
		107/2/1/1	0.0072
7.	ढाबली	24/1	0.1390
		108/1, 108/2	0.0400
		123	0.0546
		130	0.0250
8.	मांगल्या सड़क	56/1/1	0.0840
		86/1, 86/2	0.0216

[फा. सं. आर-31015/42/2001-ओ.आर.-II]

हरीश कुमार, अवर सचिव

New Delhi, the 13th August, 2003

S.O. 2387.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum products from the Panewadi (Manmad) terminal in the State of Maharashtra, extension pipeline to Manglya (Indore) in the State of Madhya Pradesh should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying the such pipelines, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the Gazette of India containing this

notification are made available to the public, object in writing the acquisition of user therein for laying of the pipeline under the land to Shri V.P. Pathak, Competent Authority, Mumbai-Manmad Pipeline Extension project, Bharat Petroleum Corporation Limited, C/19-A, Scheme no. 78, Slice No. 5, A. B Road, Indore-452010 (Madhya Pradesh).

SCHEDULE

Tehsil : Sanwar District : Indore State : Madhya Pradesh

Name of Village	Survey No.	Area in Hectare
1	2	3
4		
1. Bardari	5/1	0.0990
	9	0.0250
	10/1, 10/2	0.2190
	11	0.0512
	12	0.0260
2. Bhavrasala	1/2/1/1 KH, 3/2KH	0.0290
3. Revathi	134/3	0.0396
	132/4	0.0610
4. Jakhya	43/1/1, 43/2/1	
	43/2/2	0.4200
	206	0.0410
	228	0.0450
	249	0.2746
5. Magar Kheda	283	0.0030
	299	0.0420
	170	0.0200
	163	0.0250
	160	0.0140
6. Bijukhedi	105/1, 105/2	0.0627
	103/2	0.0230
	91	0.0110
	100/3	0.2851
	107/2/1/1	0.0072
7. Dhabli	24/1	0.1390
	108/1, 108/2	0.0400
	123	0.0546
	130	0.0250
8. Manglya Sadak	56/1/1	0.0840
	86/1, 86/2	0.0216

[F. No. R-31015/42/2001-O.R.-II]

HARISH KUMAR, Under Secy.

नई दिल्ली, 14 अगस्त, 2003

का.आ. 2388.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में पानेवाडी (मनमाड) संस्थापन से मध्यप्रदेश राज्य में मांगल्या (इंदौर) तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कॉरपोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइनें बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, 21 (इक्कीस) दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाने के लिए भूमि में उपयोग के अधिकार के संबंध में श्री वी.पी. पाठक, सक्षम प्राधिकारी, मुंबई-मनमाड पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कॉरपोरेशन लिमिटेड, सी/19-ए, स्कीम नं. 78, स्लाइस नं. 5, ए.बी. रोड, इन्दौर-452010 (मध्य प्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : कसरावद	जिला : खरगोन	राज्य : मध्य प्रदेश
ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल हेक्टेयर
1. ग्यानपुरा	53	0.0400
	52	0.0900
	44	0.0530
	36	0.0560
2. कोठड़ा	76/1/1	0.0540
3. नगावाँ	52	0.0770
	8/1	0.0720
	15/1	0.0900
4. चीचली	561	0.0720
5. औरंगपुरा	44/1/1	0.2450
6. सत्राठी	48	0.0630
7. जरोली	275/6	0.0220
	276/1	0.0400
8. बिजगुन	37/2	0.0440
	38/5	0.0560

[फा. सं. आर-31015/38/2001-ओ.आर.-II]

हरीश कुमार, अवर सचिव

New Delhi, the 14th August, 2003

S.O. 2388.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum products from Panewadi (Manmad) terminal in the State of Maharashtra, extension pipeline to Manglya (Indore) in the State of Madhya Pradesh should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying the such pipelines, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India are made available to public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land, to Shri V.P. Pathak, Competent Authority, Mumbai-Manmad Pipeline Extension project, Bharat Petroleum Corporation Limited, C/19-A, Scheme No. 78, Slice No. 5, A. B Road, Indore-452010 (Madhya Pradesh).

SCHEDULE

Tehsil : Kasrawad	District : Khargone	State : Madhya Pradesh
Name of Village	Survey No.	Area in Hectare
1. Gyanpura	53	0.0400
	52	0.0900
	44	0.0530
	36	0.0560
2. Kothra	76/1/1	0.0540
3. Nagawa	52	0.0770
	8/1	0.0720
	15/1	0.0900
4. Chichli	561	0.0720
5. Aurangpura	44/1/1	0.2450
6. Satarati	48	0.0630
7. Jaroli	275/6	0.0220
	276/1	0.0400
8. Bijgun	37/2	0.0440
	38/5	0.0560

[F.No. R-31015/38/2001-O.R.-II]

HARISH KUMAR, Under Secy.

नई दिल्ली, 14 अगस्त, 2003

का.आ. 2389.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में पानेवाडी (मनमाड) संस्थापन से मध्य प्रदेश राज्य में मांगल्या (इंदौर) तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कॉरपोरेशन लिमिटेड द्वारा विस्तार पाइपलाइनें बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी विस्तार पाइपलाइनें बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में जिसमें उक्त पाइपलाइनें बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइनें (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, 21 (इक्कीस) दिन के भीतर, भूमि के नीचे पाइपलाइनें बिछाने के लिए भूमि में उपयोग के अधिकार के संबंध में श्री वी.पी. पाठक, सक्षम प्राधिकारी, मुम्बई-मनमाड पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कॉरपोरेशन लिमिटेड, सी/19-ए, स्कीम नं. 78, स्लाइस नं. 5, ए. बी. रोड, इन्दौर-452010 मध्य प्रदेश को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : धरमपुरी जिला : धार राज्य : मध्य प्रदेश

ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल हैक्टेयर
1	2	3
1. गुजरी	9	0/1080
2. डेहरिया	29/3	0.0830
	20/2	0.0200
3. सिरसोदिया	351/3	0.0500
	350	0.0600
	338	0.0440
	315/2/1	0.0320
	300	0.0540
	294/2, 294/3/1	0.0990
	83	0.4410
	341	0.0580
	190	0.0900
	346	0.1620
	182/10	0.1200
	345	0.1800

1	2	3
	131/3	0.2580
4. चिकट्यावद	501	0.0830
	500	0.0440
5. लोधीपुरा	31	0.0400
	8	0.0400
	195/1/2 } 195/4 }	0.0620
	78/1	0.0640
	29/1	0.1080
	121	0.0120
6. दुधी	72	0.0190
	34	0.0840
	27	0.0680
	61	0.0250
	62	0.1700
7. एकलाराखुर्द	23	0.0180
8. गुलझरी	14/1	0.1710
	106	0.0490
	47/1	0.0180
	86	0.1010
	88	0.0180
	99	0.0180
	65/1/1, 65/3, 65/4/1	0.4650
	57	0.0878
	53	0.0400
	9	0.0160
	52/5	0.1260
9. बिखरूण	472	0.0220
	462/2, 462/3, 462/4	0.5590
	419	0.0450
	326	0.1186
	325/1, 325/2	0.0680
	256	0.2490
	488	0.0540
	452/1	0.0070
10. सुन्दैल	724	0.1620
11. साला	27/3, 27/4, 27/2/1 } 27/1/2 ख }	0.0680
	28/3	0.0350
	28/1	0.0140
	75/1, 75/1/2 } 75/2 }	0.0210
	54	0.0640

1	2	3
	28/5	0.0620
12. लुन्हेरा	104	0.1070
	134/1	0.0020
	185/2/1	0.0910
13. दुगनी	251/3	0.1310
	254/1,254/2	0.1010

[फा. सं. आर-31015/35/2001-ओ.आर.-II]

हरीश कुमार, अवर सचिव

New Delhi, the 14th August, 2003

S.O. 2389.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum products from Panewadi (Manmad) terminal in the State of Maharashtra, extension pipelines to Manglya (Indore) in the State of Madhya Pradesh should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying the such pipelines, it is necessary to acquire the right of user in land under which the said pipelines are proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipelines under the land to Shri V.P. Pathak, Competent Authority, Mumbai-Manmad Pipeline Extension Project, Bharat Petroleum Corporation Limited, C/19-A, Scheme No. 78, Slice No. 5, A. B. Road, Indore-452010 (Madhya Pradesh).

SCHEDULE

Tehsil : Dharampuri District : Dhar State : Madhya Pradesh

Name of Village	Survey No.	Area in Hectare
1	2	3
1. Gujari	9	0.1080
2. Dehriya	29/3	0.0830
	20/2	0.0200
3. Sirsodiya	351/3	0.0500
	350	0.0600
	338	0.0440
	315/2/1	0.0320

1	2	3
Sirsodiya	300	0.0540
	294/2, 294/3/1	0.0990
	83	0.4410
	341	0.0580
	190	0.0900
	346	0.1620
	182/10	0.1200
	345	0.1800
	131/3	0.2580
4. Chiktyavad	501	0.0830
	500	0.0440
5. Lodhipura	31	0.0400
	8	0.0400
	195/1/2 } 195/4 }	0.0620
	78/1	0.0640
	29/1	0.1080
	121	0.0120
6. Dudhi	72	0.0190
	34	0.0840
	27	0.0680
	61	0.0250
	62	0.1700
7. Akharakhurd	23	0.0180
8. Guljhari	14/1	0.1710
	106	0.0490
	47/1	0.0180
	86	0.1010
	88	0.0180
	99	0.0180
	65/1/1, 65/3, 65/4/1	0.4650
	57	0.0878
	53	0.0400
	9	0.0160
	52/5	0.1260
9. Bikhrun	472	0.0220
	462/2, 462/3, 462/4	0.5590
	419	0.0450
	326	0.1186
	325/1, 325/2	0.0680
	256	0.2490
	488	0.0540
	452/1	0.0070
10. Sundrel	724	0.1620
11. Sala	27/3, 27/4, 27/2/1 } 27/1/2 KH }	0.0680
	28/3	0.0140
	28/1	0.0350

1	2	3
	75/1, 75/1/2 } 75/2 } 54 } 28/5 } 104 } 134/1 } 185/2/1 } 251/3 } 254/1, 254/2 }	0.0140 0.0210 0.0640 0.0620 0.1070 0.0020 0.0910 0.1310 0.01010
12. Lunhera		
13. Dugni		

[F. No. R-31015/35/2001 OR-II]

HARISH KUMAR, Under Secy.

नई दिल्ली, 18 अगस्त, 2003

का.आ. 2390.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1424 तारीख 12 मई, 2003 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, कर्नाटक राज्य में मंगलूर से बंगलूर तक पेट्रोलियम उत्पादों के परिवहन के लिए मै. पेट्रोनेट एम.एच.बी. लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 23 मई, 2003 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट प्रस्तुत कर दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उस भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, इसलिए केन्द्रीय सरकार, उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त मै. पेट्रोनेट एम.एच.बी. लिमिटेड में निहित होगा।

अनुसूची

राज्य : कर्नाटक		जिला : बेंगलूर—ग्रामीण		
तालुका का नाम	ग्राम का नाम	सर्वे सं.	भाग हिस्सा सं. (यदि कोई हो)	क्षेत्रफल एकड़-गुन्टा
1	2	3	4	5
होसकोटे	तराबाहल्ली	69	1	0.06

पाद टिप्पणी : अधिसूचना का.आ. 1424 दिनांक 12 मई, 2003 भारत सरकार के राजपत्र के भाग-II, खण्ड 3, उपखण्ड (ii) में दिनांक 17 मई, 2003 को प्रकाशित।

[फा. सं. आर-31015/29/2001-ओआर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 18th August, 2003

S.O. 2390.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1424 dated the 12th May, 2003, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum products from Mangalore to Bangalore in the State of Karnataka by M/s. Petronet MHB Limited;

And whereas the copies of the said Gazette notifications were made available to the public on 23rd May, 2003;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And, further, whereas the Central Government, has after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And, therefore, in exercise of the powers conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the said land shall instead of vesting in the Central Government, vest on the date of publication of this declaration, in the Petronet MHB Limited, free from all encumbrances.

SCHEDULE

STATE: KARNATAKA DISTRICT: BANGALORE (RURAL)

Name of Taluk	Name of Village	Survey No.	Part/Hissa No. (if any)	EXTENT A-G (In Hect.)
1	2	3	4	5
Hosakote	Tarabahalli	69	1	0.06

Footnote—The notification S.O. 1424 dated the 12th May, 2003 was published in Gazette of India dated the 17th May, 2003 Part II, Section 3, Sub-section(ii)

[F. No. R-31015/29/2001-OR-II]

HARISH KUMAR, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 25 जुलाई, 2003

का. आ. 2391.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिस्को के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1, धनबाद के पंचाट (संदर्भ संख्या 169/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/220/96-आई.आर.(सी-1)]

एस. एस. गुप्ता, अवर सचिव

MINISTRY OF LABOUR

New Delhi, the 25th July, 2003

S.O. 2391.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 169/1997) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of TISCO and their workman, which was received by the Central Government on 23-07-2003.

[No. L-20012/220/96-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference U/s. 10(1) (d) (2A) of I.D. Act, 1947

REFERENCE NO. 169 OF 1997

PARTIES: Employers in relation to the management of M/s. TISCO 6 & 7 Pits Colliery.

Vs.

Their Workmen

PRESENT: Shri S. H. Kazmi, Presiding Officer

APPEARANCES:

For the Employers : Shri D. K. Verma, Advocate.

For the Workman : None

State : Jharkhand Industry : Coal.

Dated. the 9th July, 2003

AWARD

By Order No. L-20012/220/96-IR(C-I) dated 18-9-1996 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. TISCO in imposing the punishment of suspension on Sh. Jailal Turi, M.C. Mazdoor is justified? If not, to what relief is the concerned workman entitled?”

2. It is apparent from the record that pursuant to the registration of the present reference in this Tribunal in the year 1997 none has ever taken care to appear and file written statement on behalf of the workman/union whereas in terms of order of reference itself the written statement was required to be filed within 15 days of the date of receipt of the said order. This case remained pending just for the said purpose and then after noticing the past development lastly by order dated 23-6-2003 notice was sent afresh to the workman/union for appearance and for taking necessary step but even then the position remains the same and as it is evident none is present to-day on behalf of the workman/union either to take step or to make any submission whatsoever.

It is, thus evident from the aforesaid that the party who has raised the dispute and at whose instance reference has been made to this Tribunal is least interested in pursuing the dispute or the reference and when the person aggrieved himself does not appear to be interested in pursuing the dispute or this reference, no useful purpose would be served if this case is allowed to remain pending any longer.

This reference, as such, finally disposed of.

S. H. KAZMI, Presiding Officer.

नई दिल्ली, 25 जुलाई, 2003

का. आ. 2392.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1, धनबाद के पंचाट (संदर्भ संख्या 185/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/314/96-आई.आर.(सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2392.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 185/1997) of the Central Government Industrial Tribunal-I Dhanbad, now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-07-2003.

[No. L-20012/314/96-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference U/s. 10(1)(d) (2A) of I.D.
Act, 1947

REFERENCE NO. 185 OF 1997

PARTIES : Employers in relation to the management of
Muraidih Colliery of M/s. B.C. C. Ltd.

Vs.

Their Workmen.

PRESENT : SHRI S. H. KAZMI, Presiding Officer.

APPEARANCES :

For the Employers : None.

For the Workman : None

State : Jharkhand Industry : Coal.

Dated, the 9th July, 2003

AWARD

By Order No. L-20012/314/96-IR(Coal-I) dated 6-11-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the General Manager, Barora Area I of M/s. BCCL in denying regularisation of the services of Shri Janardhan Singh as Dhowrah Supervisor is justified? If not, to what relief is the concerned workman entitled?”

2. It appears from the record that in this reference of the year 1997 the appearance on behalf of the workman/union was made and the written statement was filed only on 26-10-99 and thereafter on 24-3-2000 the written statement on behalf of the management was filed. Subsequent to that time was granted to the workman/union for filing rejoinder and documents, but the same were never filed. It is also apparent that from 4-2-2000 none has been appearing in this case on behalf of the workman/union and simply adjournment after adjournment was granted to enable the workman/union to take necessary steps. The position as it stands till to-day is that this case is still pending for filing of the rejoinder and documents on behalf of the workman/union.

From all the aforesaid it is thus evident that for the reasons best known to them, the workman/union are least interested in pursuing the present case any further. When the person aggrieved or the person at whose instance the present dispute has been referred to this Tribunal for adjudication does not appear to be interested in pursuing the dispute it would be sheer wastage of valuable time of this Tribunal to allow this case to remain pending any longer.

This reference, as such, stands finally disposed of.

S. H. KAZMI, Presiding Officer.

नई दिल्ली, 25 जुलाई, 2003

का. आ. 2393.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एच. पी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, मुम्बई के पंचाट (संदर्भ संख्या 38/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-30012/97/97-आई.आर.(सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2393.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 38/1998) of the Central Government Industrial Tribunal-I, Mumbai now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of HPCL and their workman, which was received by the Central Government on 23-07-2003.

[No. L-30012/97/97-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL AT MUMBAI****PRESENT :**

SHRI JUSTICE S. C. PANDEY, Presiding Officer

REFERENCE NO. CGIT-38 OF 1998

PARTIES : Employers in relation to the management
of Hindustan Petroleum Corporation Ltd.

AND

Their Workmen

Mumbai, dated this the 16th day of July, 2003

ORDER

It has been brought to my notice that there is printing mistake in the cause title. The first party was wrongly mentioned as Bharat Petroleum Corporation instead of Hindustan Petroleum Corporation. It is directed that the name of Bharat Petroleum Corporation Ltd. be deleted and make Hindustan Petroleum Corporation Ltd. substituted. This power has been exercised by this Tribunal under Rule 28 of the rules framed by the Central Government in Industrial Disputes (Central) Rule 1957. The corrected copies be sent for publication along with the copy of this order.

S. C. PANDEY, Presiding Officer.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1 MUMBAI****PRESENT :**

SHRI JUSTICE S. C. PANDEY, Presiding Officer

REFERENCE NO. CGIT-38/1998**PARTIES :** Employers in relation to the management
of Hindustan Petroleum Corporation
Limited**AND**

Their Workmen.

APPEARANCES :

For the Management : Shri R. N. Shah, Advocate

For the Workman : Workman present.

State : Maharashtra

Mumbai, Dated the 25th day of June, 2003

AWARD

1. This is a reference under clause (d) of sub-section 1 and sub-section 2A of Section 10 of the Industrial Disputes Act (the Act for short) for adjudication of the industrial dispute between Bhimsen D. Jadhav (the workman for short) and Hindustan Petroleum Corporation Ltd. (the corporation for short). The terms of the dispute referred to the tribunal are as follows:

“Whether the action of the management of Hindustan Petroleum Corporation Ltd. in discharging illegally Mr. Bhimrao D. Jadhav w.e.f. 18-12-1996 is justified? If not, to what relief is workman entitled?”

2. The undisputed facts of this case are that the workman was working at Vashi Terminal as a Tank Truck Helper. It is also not in dispute that the services of the workman were terminated by the Corporation by order dated 12-12-1996. The order was passed under clause 32(1)(f) Standing Orders applicable to him. He was discharged from the service with immediate effect. It is not in dispute that workman received the charge sheet on 24-8-1995. The charges framed against the workman appears to be framed under clause 31.7 regarding habitual absence without leave, clause 31.9 commission of acts subversive of discipline and 31.38 the breach of any Standing Order or any law applicable to the workman. It is not in dispute that the workman himself participated in the enquiry and the enquiry officer held that charges against the workman were proved.

3. In his statement of claim the workman claimed that he was victimized by Shri. H. L. Zutesi Chairman for the reason he had tried to put a portrait of Late Dr. B. R. Ambedkar, (popularly called as Baba Sahib Ambedkar) the leader of backward classes, in the office of the company on 28-2-1993. It was alleged by him in his Statement of Claim that there were 6 more employees besides named by him in his written statement who were charge sheeted for some

act. The other allegations made in the Statement of Claim against Mr. H. L. Zutesi are not very relevant except for showing that according to the workman, Shri. Zutesi was prejudiced against him and other persons belonging to ‘Dalit Community’. He was particularly so against the workman. It was further stated that initially he was charge sheeted for affixing the portrait of Dr. Ambedkar. However, that chargesheet was withdrawn and a new chargesheet was issued. The workman made the following amongst other the grounds against the enquiry held against him.

- (i) Standing Orders were misused.
- (ii) Two Standing Orders were used:
 - (a) Model Standing Orders
 - (b) Certified Standing Order.
- (iii) The workman was not given show cause notice.
- (iv) The Standing Order was not read as a whole and was used.
- (v) There was no Certified Standing Orders and it was printed during the course of enquiry.
- (vi) The management of the Corporation was bound by the order of Shri. V. M. Sawat but it did not do so.
- (vii) The workman was not given proper opportunity to defend himself.

The other points from point No. 7 to point No. 19 were scrutinized by this Tribunal. Most of them are not relevant for determining the validity of ‘domestic enquiry’ except to the extent that they may show prejudice against him and that may have affected the findings and the order of discharge passed against the workman. This tribunal shall generally consider the drift of these points, while scrutinizing the case on merits. The workman claimed that relief of reinstatement and back wages.

4. The Corporation in its written statement protested against the allegations made by the workman against Shri H.L. Zutesi, the chairman and other officials. It denied them. It was claimed the workman was trying to inspute motive to the Chairman and officials whereas as a matter of fact he was guilty of remaining absent without leave. It stated that workman remained absent for 106 days without leave between 1st April, 1995 to 17th August, 1995. He did not dispute the fact that he was warned by his Supervisor Shri. D.M. Sable. Accordingly, a charge sheet dated 24-8-1995 was issued to him. On the chargesheet the workman made an endorsement that having regard to corruption at Vashi terminal, he did not feel like attending to his duties. It was also stated that workman gave his explanation dated 7-9-1995. Not satisfied with explanation, it was decided by the Corporation to conduct an enquiry. Even after issuance of charge sheet the workman remained absent without leave for 103 days between August 1995 to November 1996, besides taking leave for 128 days. The result was the enquiry was delayed. The enquiry was conducted between 12-4-1996

to 7-10-1996. The workman participated in the enquiry. The corporation examined its three witnesses (a) B.N. Choubey, Deputy Manager, Vashi Terminal, (b) A.K. Verma, Senior Operations Officer, (c) Dr. G.S. Nanda, H.P.C.L. designated physician. The workman examined P.S. Rakde. The workman was permitted to cross examine the witnesses and file documents. He produced his defence witness. Thereafter, the enquiry was concluded. On the findings recorded against the workman, the workman was given an opportunity to question the report of the enquiry officer by sending the copy of report as per letter dated 14-11-1996. The workman made his submissions dated 3-12-96. Thereafter, the Disciplinary Authority, the General Manager SCOD passed the order of discharge dated 12-12-1996, after considering the entire matter on record. In paragraph wise reply to the Statement of Claim, it was not disputed that the workman was charge sheeted because he and others had tried to unauthorisedly unveil the portrait of Babasaheb Ambedkar by force and thereby damaging the wall in the lobby of Petroleum House. This act was done against the advice of the security personnel. However, the workman was not discharged for that reason. All other allegations which appear to be adverse to the Corporation were denied. It is not necessary to repeat them at serially at this stage. The Corporation however, prayed that in case the enquiry I found to be vitiated, it be given opportunity to defend itself. The workman filed a long rejoinder of 26 pages. Nothing new was said in that rejoinder so far as the preliminary issues are concerned.

5. On 14-5-1999 the order sheet shows that the draft issues were filed by the Corporation. It is also recorded that preliminary issues framed on that date. However, no preliminary issues are on record. This tribunal, therefore, frames the following usual preliminary issues. The parties have already led evidence with full knowledge regarding the preliminary issues. No prejudice was caused to them.

- (i) Whether the enquiry held against the workman was in accordance with the principles of natural justice?
- (ii) Whether the findings recorded by the Enquiry Officer are perverse?
- (iii) What relief if any could be granted to the workman?

6. The workman filed his affidavit in lieu of examination in chief. He was cross-examined and thereafter he closed his case. The Corporation filed the affidavit M.G. Narayanan in lieu of examination in chief. He was cross examined by the workman. Thereafter, the Corporation closed its case.

7. The workman stated in his affidavit, that Chairman, Mr. H.L. Zutesi had got removed from job because he was biased against him on the basis of caste and also he had dared to unveil the portrait of Dr. Babasaheb Ambedkar. He changed Mr. Zutesi, Mr. Sable and Mr. S.T. Joshi with corruption of 'high degree'. It was stated that workers including the workmen were robbed of money

because Mr. Zuteshi had asked them to purchase shares of H.P.C.L. The workman claimed that he lost Rs. 80,000/-. He claimed that he was dismissed in the year 1996. The workman in his affidavit raised 20 points. Out of the 20 points this Tribunal could find points No. 8, 9, 10, 11, 17, 18 which may be relevant for the purpose of enquiry. However, the Corporation extensively cross examined the workman. The workman admitted the earlier charge sheet for affixing portrait of Dr. B.R. Ambedkar was dropped. He admitted that he received the charge sheet and had given reply to it. It was stated by him that the enquiry officer and the Presenting Officer were prejudiced against him on the basis of caste. He stated that he was not given any show cause notice prior to issuance of charge sheet. It was stated by him that Mr. Choube who gave evidence against him in the enquiry was pressurized to depose against him by the management of the Corporation. It was stated by him in cross-examination that D.M. Sable had telephonic conversation with the Enquiry Officer and he was putting pressure upon Mr. M.G. Narayanan, the Enquiry Officer and was showing undue interest in the proceedings during the course of enquiry. It was stated that he had told the Enquiry Officer that he was a member of the Upper Caste and Dalit like him could not get justice from him. The workman stated in cross examinations that three Standing Orders as well as **Maru Smruti** were applied against him. The workman stated that he was not given the correct copy of the written statement because each page was not signed. It was stated that the authorities of H.P.C.L. had condoned the absence of several person who remained absent more than six months. He admitted that nobody was dismissed from service on the charge of putting Dr. Ambedkar photograph. Each one of them were transferred. Some of them were not given promotions. Non of them challenged the orders passed against them. He stated that he was given a charge sheet on 24th August, 1995. He was not given an opportunity to defended by Sharad Jadhav or by Mr. Sable. The workman agreed that the contents of the charge sheet were explained to them. He denied that the case was adjourned at his request when he was not fully prepared to cross examine the witness for the Corporation. He denied that on 1-7-1996 this was the position asserted by him the case was adjourned for examination of R.K. Mulla. He stated that the witnesses for the defence could be brought because they were employees of the Corporation. The workman admitted that he was absent from duty as described in the charge sheet. He asserted that Mr. Chambe and Mr. Verma were pressurized. Mr. Sable was interfering. The workman stated that he was not given full opportunity.

8. M.G. Narayanan, the Enquiry Officer denied the allegations made by the workman in his affidavit. In his affidavit Shri Narayan stated that Mr. A.M. Parate was the Presenting Officer. The workman defended himself. He was permitted to cross-examine Mr. B.N. Choube, Mr. A.K. Verma, and Dr. G.S. Nanda. He denied that D.M. Sable had telephoned during the course of enquiry interfered with

the enquiry. He stated that Certified Standing Orders were followed. The workman insisted that he be permitted defended by officials from SC/ST Association. The Certified Standing Order did not allow such a course. The enquiry was conducted in a fair manner and the principles of natural justice were followed. The evidence and the documentary evidence was analyzed for coming to the conclusion against the workman.

9. In cross-examination the Enquiry Officer stated that after full cross-examination of the witness, he did not permit further cross-examination. It was not necessary to do so. The enquiry officer denied that he knew that workman was charge sheeted for fixing the portrait of Dr. Ambedkar. He admitted that it was stated by him that it was a Herculean task to finish the enquiry. There was no cross-examination worth the name of the officer. The unaffirmed affidavit given for convenience of the workman or mis-typing of B.S. Rokade as R.S. Rokde was made an issue. He stated that had rejected the application for D.M. Sable or Jadhav because they were Officers. He stated that in Enquiry report he had found to absent for 38 days.

10. This is the summary of the entire oral evidence. The evidence of the workman in examination in chief by and large was of not great help to him because he wrongly thought that by accusing the Senior Officers of corruption, he could get away. The fact that he was charge sheeted for unveiling the portrait of Dr. Ambedkar clouded his mind so much so that he thought that origin of his troubles for the reason that he was the member of Dalit community and he was hated by all the members of the Upper caste. He was further of the view that Dr. B. R. Ambedkar was universally disliked by the members of the upper caste. This thing can only happen when we try to deify human beings. Unfortunately, this tendency has been prevalent in this country for thousands of years. The Hindus have a tradition of Avatars of God, therefore, any great human being can be called an Avatar. Sometimes the greatest conoclasts of their times have been made Avatars. This is happened with Buddha. He is adapted as 23rd Avatar of Vishnu in Bhagwat Punna. However, the life and times of Buddha show that he was against caste system which according some persons is a backbone of Hindu Social System. It is matter of regret that the followers of Dr. Ambedkar, who himself became the follower of Buddhism along with several members of the Dalit community, is being deified? This must be contrary to his tenets. The true follower of Dr. Ambedkar shall not be satisfied with unveiling his portrait or raising his statues. This is not say, that above activities are in any way condemnable. They could at best be symbolic. Now you cannot live by symbols alone. This is the mistake done by the workman. He may not be in for blame so much as his leaders who are spreading the false doctrine. This tribunal is of the view that the workman could unveil the portrait of Dr. Ambedkar in the gallery provided he was permitted to do so. In case he took the revolutionary step of unveiling the

portrait of Dr. Ambedkar, he should be ready to suffer. In any case the act of issuing charge sheet cannot be faulted because the portrait was unveiled, forcefully. However, since the charge sheet was not pursued further it is not possible to say anything about it. Apparently, all the charge sheeted persons for affixing the portrait of Dr. B. R. Ambedkar were merely warned. The workman cannot draw any mileage from the fact of service of this charge sheet. At least, this could be the fact that this charge sheet was the motive to issue the charge sheet for absenteeism. It is difficult to enter into the minds of men. It is difficult to reach the inner recesses of the minds of men. The Courts are handicapped in this matter. Therefore, there must be overwhelming external evidence to show a particular attitude of mind. Beside, the issuance of earlier charge sheet, there are no external evidence led to show that there was the element of malice in issuance of the charge sheet in question except the meager circumstance that the first charge sheet was issued. This tribunal does not find any substance in the argument that charge sheet was bad because it was issued by a biased mind.

11. The next question that arises for consideration whether the workman was given reasonable opportunity. The workman says that he was not issued show cause notice prior to issuance of charge sheet. The evidence on record discloses that after issuance of charge sheet the workman was asked to give his explanation. He did not dispute that he gave his explanation. In the opinion of this tribunal the workman was given opportunity to explain his conduct. This opportunity is reasonable in itself.

12. The workman sought to argue that he was not given reasonable opportunity because he was not given the right defence representative of his choice. The evidence of the workman shows that he was not permitted to be defended by Sharad Jadhav or by Mr. Sable. The rejection of this prayer was that these persons could not be permitted to defend the workman as they belonged to Officers class. The Officers were not workmen. The clause 32 (3) of the Standing Orders for Marketing and Establishments provides that the workman shall be permitted to be defended by a fellow workman of his choice from the same establishment. The workman did not choose to give any explanation for not choosing a workman from the same establishment. It is well established that a person facing the enquiry has no right to be defended by a particular person. Therefore, if the permission to be defended by Shri Jadhav or Mr. Sable was rejected it cannot be said that enquiry was vitiated. It is interesting to note that Mr. Sable is the same person whom the workman has called a corrupt Officer and a man hand in glove with Mr. Zuteshi. This tribunal is was given otherwise satisfied that the case of the workman did not suffer due to lack of opportunity to be defended by a counsel. The workman himself conducted the proceedings capably but in wrong headed manner. The workman could have easily avoided the pet fall by taking

advice from a lawyer. However, it appears that the workman was more interested in performing a 'mission' there defending himself.

13. The workman was permitted to cross-examine the witnesses examined by the Presenting Officer of the Corporation. The three witnesses and then cross examination show that workman remained absent for 40 days without obtaining leave. The defence witness examined by the workman does not say that he was not absent. In cross examination the workman himself is not dispute that he remained absent. He stated at page 5 of his cross examination that it was correct to say that I was absent from duty as described in the charge sheet. On the other hand the Enquiry Officer has found that workman was absent without authority for 40 days. This findings if fair enough.

14. The enquiry proceedings show the workman was granted adjournment on 1-7-1996 to 3-7-1996 as he was not fully prepared for cross examination. However, the workman in cross examination tried to say the case was adjourned for examining R. K. Mulla. This assertion appears to be contrary to Order sheet dated 1-7-1996 signed by the workman without any protest.

15. The grievance of the workman that he was not permitted to re-examine Mr. Choube. After going through the enquiry papers, it is difficult to accept the contention of the workman. The discretion exercised by the enquiry officer cannot be said to be vitiated.

16. It is not correct to say that in domestic enquiry, the enquiry officer has power to summon a witness. The contention of the workman that the witnesses could not be brought by him is not sustained by him before this tribunal. The list of witnesses given by the workman itself was of no consequence. He wanted to examine.

- (i) Mr. R.K. Mulla (General Manager, S.O.D.)
- (ii) D.M. Sable
- (iii) M.G. Narayan (The Enquiry Officer)
- (iv) A.V. Dhumal
- (v) P.S. Rokde
- (vi) Kamble.

Obviously, the list itself showed that it was filed more with a view to embarrass the management than to defend himself.

17. The workman in his evidence has stated more than once that he did not expect justice from M. G. Narayan. M. G. Narayan admitted that to had expressed that it was a Herculean task to conduct the enquiry. His expression appears to be accurate. A close scrutiny of enquiry papers and the evidence given by the workman himself shows that the workman convinced himself that he would not get justice from Mr. M. G. Narayan. In the opinion, of this tribunal the workman himself showed a castiest approach more than him. Mr. Narayanan was fair enough to give a finding, in his enquiry report, the workman absent between April 1994 to August 1994 for a period of 40 days (Not 38

days as deposed by him in cross-examination). He based his conclusion on the evidence of A.K. Verma and B.N. Choube regarding his absence. He has also accepted the evidence of Dr. Nanda to the effect that workman was not sick and that he was normal and was in a position to attend to work. The workman himself stated in his statement in his cross examination (at page 20 of enquiry papers) to the effect that he remaining absent for 1 or 2 days and therefore, he was not taking permission, approval. The reason given by him is that nobody took any permission at the terminal he was working. We cannot find fault with the conclusion of the enquiry officer if he held that all the charges against the workman are proved. The finding is based on evidence on record.

18. The workman tried to argue that all the papers produced during the course of enquiry were false. He was not able to prove any fact on this point. The workman argued that he should be given the benefit of doubt. If the workman himself admitted that he was absent without taking leave because nobody asked for permission. The workman tried to argue that the enquiry officer should have accepted the medical certificates produced by him. The workman stated that written statement was not the written statement of Hindustan Petroleum because it was written on a paper bearing Mono of H.P.C.L. The enquiry officers evidence was liable to be rejected because he did not remember because he could not recollect the fact that he sat for a eight sittings and that he had given a finding that workman was absent for 40 days whereas in his evidence before the tribunal he had stated that the workman was found to be absent for 38 days. He complained that he was given a copy of unaffirmed affidavit and therefore, it should be held that the affidavit filed was unaffirmed. He also stated that Shri R. K. Mulla should have been called by the Enquiry Officer as a witness.

19. This tribunal has stated these arguments from its notes of oral argument. None of these arguments are acceptable. The Enquiry Officer had made a comment on the conduct of the workman. The enquiry officer must have faced an ordeal because it appears from the evidence of the workman himself that he was convinced that justice shall not done to him by the enquiry officer. He thought probably that Mr. Narayanan was a follower of Manusmriti as he put it at one place in evidence. It appears to this tribunal that the argument raised by workman and his conduct and his evidence during the case showed that he had created a smoke screen of belief around him that every person, who is not a member of the Scheduled Caste, is against him. If this is not an approach based on caste, then nothing is Dr. B. R. Ambedkar, was one of the leading lights amongst the founding father of constitution. He did not have a narrow vision about reservations. In fact, he reluctantly allowed the reservations to continue for more than 20 years. He would have been astounded to his name being adapted by his so called followers for the same castiest

approach, which he opposed throughout his life, amongst the upper caste. It is ironical that the wheel of time has made a full circle. Perhaps this happens in all cases of militant approaches adapted by anybody. History is replete with several instances. This tribunal can only repeat again to say that there is no merit in the arguments raised by the workman.

20. This tribunal is not in any way affected by the approach of the workman. It has pointed out the facts as it understood them. In order to do justice to the workman, this tribunal examined the enquiry papers carefully under section 11-A of the Act. This tribunal regrets to say that the workman was passionately blind to his defence and was more interested in maligning others. In this approach he lost whatever defence he had. Therefore, this tribunal cannot hold that the workman was harshly dealt with, or that the principles of natural justice were truly violated. The findings are not perverse.

21. The question of sentence given to workman was also considered under section 11A of the Act. It has been found by this tribunal the workman was absent for 40 days without leave between April, 1994 to August, 1995. The charge sheet was issued to him on or about 29-8-1995. He had given his reply on 7-9-95. The workman should have avoided to remain absent. However, between 8 August 1995 to November he remained without leave for 103 days and 128 days with leave. Thus within a period of 1 year 3 months, the workman remained absent for 211 days. Under these circumstances, if the disciplinary authority discharged him. Then this tribunal can not say that discretion was improperly exercised. There is no gross violation of any known principle in giving the punishment to the workman. On the other hand the conduct of the workman in remaining absent for long period shows that he lacked interest in his work.

22. Consequently, this reference is answered by stating that the workman rightly discharged the Corporation w.e.f. 8-12-1996. He is not entitled to any relief. No costs.

S.C. PANDEY, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का.आ. 2394.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा० को० को० लि० के प्रबंधन के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1, धनबाद के पंचाट (संदर्भ संख्या 186/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/315/95-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2394.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 186/1997) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/315/95-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference u/s. 10(1) (d) (2A) of I.D. Act, 1947

Reference No. 186 of 1997

PARTIES : Employers in relation to the management of Kujama Colliery of M/s. B.C.C. Ltd.

AND

Their Workman

PRESENT : Shri S. H. Kazmi, Presiding Officer

APPEARANCES :

For the Employers : None

For the workman : None

State : Jharkhand Industry : Coal

Dated, the 11th July, 2003

AWARD

By order No. L-20012/315/95-IR(Coal-I) dated 5-11-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand of the Union for the regularisation of Sh. Dhanjee Prasad, Electric Helper as Electrical Fitter by the management of Bastacolla Area of M/s. BCCL is legal and justified ? If so, to what relief is the workman entitled?”

2. It appears from the record that in this reference of the year 1997 none has appeared so far on behalf of the workman for taking any step whatsoever or for filing written statement. Simply adjournments were granted to enable the workman/union to appear and take necessary step. It further appears that by order dated 24-6-2003 after having noticed all the past developments one more opportunity

was granted and notice was sent to the workman/union afresh under registered cover, but that also proved to be of no avail and the position as it exists till today is that neither there is any appearance on behalf of the workman nor there is any written statement.

It is, thus, evident from all the aforesaid that the workman/union has lost interest and does not want to pursue the present dispute or the case further. In such circumstances no useful purpose would be served by granting adjournments unnecessarily and keeping this case pending for any purpose whatsoever.

This reference, as such, stands disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का.आ. 2395.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा० को० को० लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 175/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/246/96-आई.आर.(सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2395.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 175/1997) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/246/96-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Sec.10(1) (d) (2A) of I.D. Act.

Reference No. 175 of 1997.

PARTIES: Employers in relation to the management of Balihari Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT: SHRI S. H. KAZMI, Presiding Officer.

APPEARANCES:

For the Employers : None

For the workman : None

State : Jharkhand

Industry : Coal

Dated, the 10th July, 2003

AWARD

By order No. L-20012/246/96-IR(C-I) dated 14-10-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the dispute for adjudication to this Tribunal with following schedule :

"Whether the action of the management of Balihari Colliery of M/S. BCCL in dismissing the service of Sh. Genda Prasad, Ex-compounder of Balihari Colliery Dispensary is legal and justified? If not, the what relief is the concerned workman entitled?"

2. It appears from the record that this reference was registered in the year 1997 and ever since then this case is pending for appearance and for filing written statement on behalf of the workman. During the long pendency of this case none ever cared to appear and take necessary step. Only adjournments were granted. It further appears that by order dated 26-6-2003 after having noticed all the past developments a notice was sent to the concerned workman under registered cover for the aforesaid purpose, but even then no significant development could take place and the position as it stands till to-day is that neither there is any appearance nor any written statement by the workman.

It is, thus, evident that for the reason best known to him the concerned workman has lost interest in this case and does not want to pursue the same any further. Since the person aggrieved or the person at whose instance the present dispute has been referred to this Tribunal for adjudication, himself is least interested in pursuing the dispute, it would absolutely needless to allow this case to remain pending any longer.

This reference, as such, stands finally disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

Dated, the 11th July, 2003

AWARD

का.आ. 2396.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सो.सो.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण I, धनबाद के पंचाट (संदर्भ संख्या 139/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-07-2003 को प्राप्त हुआ था।

[सं० एल-20012/136/96-आई.आर.(सो-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2396.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 139/1997) of the Central Government Industrial Tribunal/Labour Court I, Dhanbad now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 23-07-2003.

[No. L-20012/136/96-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference U/s. 10(1) (d) (2A) of I.D. Act.

Reference No. 139 of 1997

PARTIES: Employers in relation to the management of Kedla Underground Project of M/s. C.C. Ltd.

AND

Their Workmen

PRESENT: Shri S.H. Kazmi, Presiding Officer.

APPEARANCES:

For the Employers : Shri D.K. Verma, Advocate.

For the workmen : None

State : Jharkhand

Industry : Coal.

By Order No. L-20012/136/96-IR(C-1) dated 10th/14th-July, 1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand by the Union in the year 1995 for the correction of pay fixation of Sh. Murli Ram and 146 others (as per list enclosed), made, at the time of their conversion from Piece Rated Worker to Time Rated Worker is legal and justified? If so, what relief is these workers entitled?”

2. It appears from the record that right from the inception or from the year 1997 when the reference was registered in this Tribunal this case is still pending for appearance and filing written statement by the workman/union. During the long pendency of this case at no stage any one cared to appear and to take necessary steps. Simply adjournments were granted to enable the workman/union to take step as required.

Further it appears that by order dated 24-6-2003 one more opportunity was granted to the workman/union in the aforesaid regard and a notice was sent to the workmen/union afresh under registered cover, but even then the position remained the same and till date neither any appearance has been made nor any written statement has been filed, whereas as per the term of reference itself the written statement on behalf of the workmen was to be filed in the year 1997 itself.

From all the aforesaid it is apparent that the person aggrieved or the person at whose instance dispute has been referred to this Tribunal for adjudication is least interested in pursuing the said dispute for the reason best known to him otherwise there does not appear to be any reason why this case has been abandoned in such a manner or has been left un-attended. Anyway, whatever may be the reason, considering all the aforesaid developments it would be sheer wastage of valuable time of this Tribunal to allow this case to remain pending any further.

This reference, as such, stands finally disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का० आ० 2397.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिस्को के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 142/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/156/96-आई०आर० (सी-1)]

एस० एस० गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S. O. 2397.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 142/1997) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of TISCO and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/156/96-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference U/S 10(1)(d)(2A) of
Industrial Disputes Act, 1947.

Reference No. 142 of 1997

PARTIES: Employers in relation to the
management of Chasnala Colliery
of M/s. TISCO.

AND

Their Workmen

PRESENT:

SHRI S. H. KAZMI, Presiding Officer.

APPEARANCES:

For the Employers : Shri D. K. Verma,
Advocate.

For the Workmen : None.

State : Jharkhand

Industry : Coal

Dated, the 11th June, 2003

AWARD

By Order No. L-20012/156/96-IR(C-I) dated 24-7-97 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the

Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the claim of the Union that S/Sh. Shakti Kumar Mahato, Dhiren Mahato, Biman Mahato, Prabhat Kumar Jha, Anajani Kumar and Amrit Thakur were engaged continuously since 1988 on the permanent and prohibited nature of jobs of coal-cutting and drilling by the management of Chasnala Colliery of M/s. TISCO is legal and justified? If so, to what relief are these workmen entitled?”

2. It appears from the record that pursuant to the receipt of the order of reference this case was registered on 13-8-97 and thereafter time was allowed to the workmen to appear and file written statement, though in the order of reference itself it was indicated that the written statement was to be filed within 15 days from the date of receipt of the said order. During the long pendency of this reference right since the year 1997 none cared to appear and file written statement on behalf of the workmen. Simply adjournments were granted for the same and lastly by order dated 24-6-2003 one more opportunity was granted and the notice was sent afresh to the workmen /union under registered cover in the aforesaid regard. But even then the position remained the same and till date neither any one appeared nor written statement was filed on behalf of the workmen. From all the developments, as noticed above, it is evident that the person aggrieved or the person at whose instance the dispute has been referred to this Tribunal for adjudication is least interested in pursuing the said dispute any further. In view of prevailing circumstances no any other impression can be gathered. When the persons concerned themselves are no more interested in this case it would be absolutely needless to allow this case to remain pending any longer.

Thus, in view of the aforesaid, this reference stands finally disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का० आ० 2398.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 174/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/255/96-आई०आर० (सी-1)]

एस० एस० गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S. O. 2398.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 174/

1997) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/255/96-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference U/S 10(1)(d)(2A) of Industrial Disputes Act, 1947

Reference No. 174 of 1997

PARTIES: Employers in relation to the management of Amlabad Project of M/s. B.C.C.Ltd.

AND

Their Workmen

PRESENT: SHRI S. H. KAZMI, Presiding Officer.

APPEARANCES:

For the Employers : Shri H. Nath, Advocate.
For the Workmen : None.
State : Jharkhand
Industry : Coal

Dated, the 9th July, 2003

AWARD

By Order No. L-20012/255/96-IR(C-1) dated 13-10-97 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the demand of the Union for the regularisation of Shri Ramjan Mian as Haulage Operator by the management of Amlabad Project of M/s. BCCL is legal and justified? If so, to what relief is the workman entitled?"

2. It appears from the record that this reference of the year 1997 is still pending for appearance and for filing of written statement by the workman/union despite several adjournments being granted for the said purpose. It further appears that the management, on the other hand, was prompt in appearance and taking necessary step and on 11-7-2001 itself the written statement on its behalf has already been filed. It is also evident from record that noticing all the past developments by order dated 23-6-2003 a fresh notice was sent to the workman/union for appear-

ance and for taking necessary step but even then no significant development could take place and the position as it stands till to-day is that this case is still pending for appearance and for filing written statement by the workman/union.

Thus, from all the aforesaid developments it is more than obvious that the party at whose instance the dispute has been referred to this Tribunal for adjudication is least interested in pursuing this reference otherwise there does not appear to be any reason why they have abandoned this case or have left this case unattended. In such circumstances, in my view, it would be sheer wastage of valuable time of this Tribunal to allow this case to remian pending any further.

This reference, as such, stands finally disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का० आ० 2399.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिस्को के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 163/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/201/96-आई०आर० (सी-1)]

एस० एस० गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S. O. 2399.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 163/1997) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of TISCO and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/201/96-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference U/S 10(1)(d)(2A) of Industrial Disputes Act, 1947

Reference No. 163 of 1997

PARTIES: Employers in relation to the management of Jamadoba Colliery of M/s. TISCO.

AND

Their Workmen

PRESENT:

SHRI S. H. KAZMI, Presiding Officer.

APPEARANCES:

For the Employers : Shri D. K. Verma,
Advocate.

For the Workman : None.

State : Jharkhand

Industry : Coal

Dated, the 9th July, 2003

AWARD

By Order No. L-20012/(201)/96-IR(C-I) dated 8-9-97 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the demand of the Union that the employment under the Employees dependent Scheme of the management should be provided to either Shri Ghanshyam Pramanik or Sh. Kalipada Pramanik as a dependent of Sh. Chantu is legal and justified? If so, to what relief is the workman entitled?"

2. It appears from the record that right from the year 1997 this reference is pending for appearance and for filing of the written statement by the workman/union. At no point of time during the long pendency of this reference any one cared to appear and take necessary step on behalf of the workman. Simply this case was kept pending with expectation that someone would appear and would take required step. It further appears that noticing the past development lastly by order dated 24-6-2003 a notice under registered cover was sent to the workman/union for the aforesaid purpose but that also proved to be of no avail and the position as it exists till to-day is that neither there is any appearance nor there is any written statement filed on behalf of the workman.

It is, thus, evident from all the aforesaid that the party who has raised the present dispute is not at all interested in pursuing the present reference otherwise he could not have abandoned this case in such a manner. When the person aggrieved himself is no more interested in pursuing this present dispute or reference it would be absolutely needless to keep this case pending any further and granting adjournment unnecessarily.

This reference, as such, stands finally disposed of.

S.H. KAZMI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का० आ० 2400.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिस्को

के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 161/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/222/96-आई०आर० (सी-I)]

एस० एस० गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S. O. 2400.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 161/1997) of the Central Government Industrial Tribunal/Labour Court I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of TISCO and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/222/96-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.**

In the matter of a reference U/S 10(1)(d)(2A) of Industrial Disputes Act, 1947.

Reference No. 161 of 1997

PARTIES: Employers in relation to the management of Jamadoba Colliery of M/s. TISCO.

AND

Their Workmen

PRESENT:

SHRI S. H. KAZMI, Presiding Officer.

APPEARANCES:

For the Employers : Shri D. K. Verma,
Advocate.

For the Workman : None.

State : Jharkhand

Industry : Coal

Dated, the 10th July, 2003

AWARD

By Order No. L-20012/222/96-IR(Coal-I) dated 9-9-97 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of M/s. TISCO in dismissing Shri Om Prakash Singh from services of the company is justified? If not, to what relief is the concerned workman entitled?"

2. In this reference of the year 1997, as it is evident, none has appeared so far on behalf of the workman nor the written statement was ever considered necessary to be filed. On the last date taking into account all the past developments one registered notice was sent to the workman/union to appear and take necessary step but that also proved to be of no avail. However, to-day on behalf of the management Sri D. K. Verma appears and files his letter of authority. By filing a copy of memorandum of settlement he submits that the present case pertains to the dismissal of the concerned workman and while the present reference was pending for final adjudication before this Tribunal, in the year 1998 itself both the parties agreed to settle the dispute fully and finally on certain terms and conditions. According to Sri Verma the terms of the settlement are elaborately mentioned in the memorandum of settlement. He submits that pursuant to the said settlement the concerned workman started working under the management once again and no dispute remains in existence for being adjudicated by this Tribunal. He further submits that inadvertently the management failed to bring the said fact regarding settlement into the notice of this Tribunal for passing necessary orders thereon and there was laches on the part of the workman/union also in that regard.

Having heard the aforesaid submissions and also upon going into the contents of the memorandum of settlement which has been filed to-day there does not appear to be any reason for not believing the aforesaid contentions advanced on behalf of the management.

It is evident that since the dispute has already been settled earlier the workman/union, quite understandably, lost interest in this case and never appeared for taking any step although it was proper on the part of the workman/union also to bring the said fact regarding settlement into the notice of the Tribunal and this reference should not have been allowed to remain pending in such a manner.

Thus, in view of all the aforesaid developments the present reference stands finally disposed of.

S. H. KAZMI, Presiding Officer.

नई दिल्ली, 25 जुलाई, 2003

का० आ० 2401.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 312/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं० एल-20012/422/2001-आई०आर०(सी-1)]

एस० एस० गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S. O. 2401.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 312/2001) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/422/2001-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, AT DHANBAD

PRESENT:

SRI B. BISWAS : Presiding Officer

In the matter of an Industrial Dispute under Section 10
(1) (d) of the I.D. Act. 1947.

Reference No. 312 of 2001

PARTIES:

Employers in relation to the
management of Katras Area of
M/s. B.C.C. Ltd. and their workman

APPEARANCES:

On behalf of the workman : None

On behalf of the : None
employers

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 8th July, 2003.

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/422/2001-I.R. (C-I), dated, the 27th November, 2001.

SCHEDULE

“Whether the action of the management of East Katras Colliery of M/s. BCCL in dismissing Sri Jitu Bouri from the services of the company w.e.f. 30-12-96 is justified? If not, to what relief is the concerned workman entitled?”

2. In this reference neither of the parties turned up before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 10-12-2001 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman as well as the management but in spite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of

W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/Union. Naturally responsibility rests with the concerned workman/union and the management to assist the court to dispose of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No Dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the court will pursue the matter suo moto with the expectations for appearance for the workman and the management inspite of issuance of registered notices. As per I.D. Act the workman excepting under provision of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the union for their workmen. These unions inspite of receiving notices do not care to appear before the court for the interest of the workman and as a result they have been deprived of getting any justice until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union by yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का.आ. 2402.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 78/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं. एल-20012/257/98-आई.आर. (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2402.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 78/1999) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/257/98-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

SRI B. BISWAS : Presiding Officer

In the matter of an Industrial Dispute under Section 10
(1) (d) of the I.D. Act, 1947.

Reference No. 78 of 1999

PARTIES:

Employers in relation to
the management of Block-IV of
Govindpur Area No. III of
M/s. B.C.C.L. and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

State : Jharkhand : Industry : Coal.

Dated, Dhanbad, the 8th July, 2003.

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/257/98-I.R. (C-I), dated, the 28th January, 1999.

SCHEDULE

"Whether the action of the management to dismiss Sri Gaja Deshwali Minor/Loader of Block-IV of Govindpur Area No. III of M/s. BCCL is justified? If not to what relief the concerned workman is entitled?"

2. In this reference the concerned workman through his representative though appeared on one occasion and filed their W.S. failed to appear subsequently inspite of issuance of notices. The management side did not appear through their authorised representative in this reference before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 12-2-1999 and since then it is pending for disposal. Regis-

tered notices were also issued to the workman side but has failed to turn up. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of the dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the court to dispose of the reference in issue on merit. Here it is clear that neither the concerned workman nor the management rendered any sort of cooperation to the court for disposing of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No Dispute' Award when both the parties remain absent. There is also no scope to pass Award exparte. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the parties inspite of issuance of registered notices. Definitely it is the duty of the court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case of disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का.आ. 2403.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 137/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं. एल-20012/317/96-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S. O. 2403.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.137/1997) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the

management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/317/96-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

SHRI B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 137 OF 1997

PARTIES : Employers in relation to the management of BCCL's Block 2 Area and their workman.

APPEARANCES :

On behalf of the workman : Shri K. Chakravorty, Advocate.

On behalf of the management : Shri D.K. Verma, Advocate.

State : Jharkhand : Industry : Coal.

Dated, Dhanbad, the 9th July, 2003

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/317/96-IR (Coal-I), dated, the 25th November, 1997:

SCHEDULE

"Whether the demand of the Union for the placement of Shri Biswanath Singh in Fitter Grade 'C' with effect from his joining employment, 13-12-85 and his subsequent placement in Grade 'B' w.e.f. the date his juniors were placed in that grade is justified? If so, to what relief is the workman entitled?"

2. The case of the concerned workman according to W.S. submitted by the sponsoring Union on his behalf in brief is as follows :—

The sponsoring Union submitted that the concerned workman was originally appointed as a permanent Fitter in Grade 'D' under the management on 13-12-85 along with other ex-workmen of Bokaro Steel Works Construction Ltd. On the basis of the application made by him for his employment. They submitted that Madan Rajk, Krishnanand were ex-employees of Bokaro Steel Works Construction Ltd. and Hindustan Steel Construction Ltd. also applied for their employment under the management. They alleged that after selection when the present management placed him as Fitter Grade 'D' they were

placed as Fitter Grade-C and subsequently they were promoted in Grade 'B' though they were junior to him. They also alleged that the performing the same and similar job management while provided them in Grade 'B & A' and they ignored his legitimate claim for promotion. The sponsoring Union submitted that in the month of January, 1989 the concerned workman was placed in Grade 'C' but he was superseded by the workman who were junior to him and for which he has become junior to them. They submitted that the concerned workman accordingly submitted representation to the management several times for his placement atleast in Grade 'C' with effect from 13-12-1985 and in Grade 'B' atleast with effect from the date of placement of Krishnanand Pandit and other junior workman but as the management refused to consider his prayer he raised an Industrial Dispute before the ALC(C) Dhanbad for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring Union accordingly on behalf of the concerned workman submitted prayer to pass award directing the management to place the concerned workman in Grade 'C' with effect from 13-12-1985 and in Grade 'B' with effect from the date of placement of his juniors with all arrears of wages and other consequential relief.

3. Management on the contrary after filing W. Statement *cum*-rejoinder have categorically denied all the claims and allegations which the sponsoring Union on behalf of the concerned workman asserted in the W. Statement. They submitted that the concerned workman was selected for the post of E.P. Fitter Grade III in excavation Category 'D' and he joined to the said post on 13-12-1985 on the basis of appointment letter issued and also acceptance of the terms and conditions. They submitted that cadre scheme Fitters are placed in different grades viz. Grade-III, II I special grade and they are placed in different category from 'D' to 'A' according to skill, experience and also capacity to tackle the machineries properly. All the promotions are made according to the cadre scheme on the basis of seniority-*cum*-suitability-*cum*-merit. They submitted that initially each candidate is selected and recruited according to his merit and performance before the selection committee and on the basis of recommendation of the selection committee they submitted that the concerned workman has failed to cite any instance that a junior workman to him got his promotion in higher grade superseding him. They submitted that Madan Rajak was selected recruited and joined as Grade-II Fitter in Cat-'C' and automatically he got his promotion in higher grade by virtue of his seniority. They disclosed that it would not be any logic that the concerned workman also would have been selected and recruited as Grade-II Fitter in excavation Cat. 'C' from the date of his initial appointment in the similar way Sri Madan Rajak was selected and recruited. They alleged that the sponsoring union has no *locus standi* to make out case challenging the selection and recruitment of workman at the initial

stage. They submitted that at the initial stage selection and recruitment are done on the recommendation of the Selection Committee. They submitted that as the concerned workman failed to produce any material in support of his claim, there was no scope for consideration of his case and accordingly they submitted prayer to pass award rejecting the claim of the concerned workman.

4. Points to be decided in this reference are :—

“Whether the demand of the Union for the placement of Shri Bishwanath Singh in Fitter Grade 'C' with effect from his joining employment 13-12-1985 and his subsequent placement in Grade 'B' w.e.f. the date his juniors were placed in the grade is justified? If so, to what relief is the workman entitled?”

FINDING WITH REASONS

5. It transpires from the record that the sponsoring Union in order to substantiate the claim in question examined the concerned workman as WW-1. On the contrary management did not examine any witness in support of their own claim.

Now considering the evidence of the workman and also considering all materials on record let me consider if the concerned workman deserves to get his relief or not. It is admitted fact that the concerned workman was selected and appointed as E.P. Fitter Grade-III in excavation Cat. 'D' on 13-12-85. The appointment letter during evidence of the concerned workman was marked as Ext. W-2. The concerned workman in course of his evidence admitted that considering the terms and conditions laid down in his appointment letter he accepted the job in question. He admitted that prior to his joining as Fitter Grade III in excavation Cat. 'D' he worked at Bokare Steel Works Construction Ltd.

6. The specified claim of the concerned workman is that Madan Rajak and Krishnanand Pandit were ex-employees of Bokare Steel Works Construction Ltd. and Hindustan Steel Works Construction Ltd. respectively. He submitted that these two workmen though junior to him got their appointment in Fitter Cat. 'C' by the present management. He submitted that not only these two workmen but other workmen who also were juniors to him also had been placed in higher grade by the management while they got their appointments. I have carefully considered the W.S. submitted by the concerned workman and also his evidence but it revealed that the concerned workman has failed to disclose the name of those workmen who were junior to him but subsequently superseded by them due to arbitrary decision of the management. Accordingly I do not find scope to stress on this claim as he lamentably failed to substantiate the same.

7. It is the specific contention of the management that each candidate is selected and recruited according to the merit and performance before the selection committee and on the basis of recommendation of the Selection

Committee a workman is recruited. They further submitted that as per cadre scheme Fitters are placed in different grades and categories from 'D' to 'A' according to skill, experience and capacity to detect fault and also to rectify the fault of the machinery, in addition to his seniority, suitability and merit. Considering the evidence of the workman it transpires clearly that Madan Rajak and Krishnanand Pandit were not selected as Fitter along with him. Accordingly there is no scope to say that due to arbitrary decision of the management he was recruited as E.P.F. Fitter Grade III in excavation Cat. 'D'. The claim of the concerned workman is that like Madan Rajak and Krishnanand Pandit he also would have been placed in Cat. 'C' but as the management did not do so he has become junior to them. The management in their pleading have categorically disclosed which qualification the selection committee consider in the matter of selection as well as posting of the workman in different grades. It is the absolutely the domain of the selection committee to judge the merit of a worker for his placement in particularly category. Accordingly onus on the concerned workman to establish that in spite of his sufficient qualification management though selected him as Fitter placed him in Cat. 'C' and thereby he was superseded by other workman who at the initial stage of appointment offered with higher category. It is clear from his evidence that he has failed to establish any such claim. It is seen that the concerned workman was recruited independently and placed in Cat. 'D' in the year 1985. Subsequent to his recruitment management decided to recruit fresh candidates for the post of Fitter. In response to that call Madan Rajak submitted his candidature and he was selected by the selection committee and placed in Fitter Cat. 'C'. The recruitment of the concerned workman as well as of Madan Rajak and Krishnanand Pandit were independent and appointment letters were issued also separately. Abiding by the terms and conditions laid down in the appointment letter the concerned workman and others joined the post. No evidence is forthcoming that the concerned workman raised his protest for his recruitment in Cat. 'D'. It is seen that concerned workman joined as Fitter Cat. 'D' on 13-12-85. He raised the Industrial Dispute in the year 1996 *Vide* document marked as Ext. W-4. It transpires that he was placed in Category 'C' in the year 1989. Thereafter he got his promotion in Cat. 'B' and 'A' in the year 1997 and 2003. It is seen that before raising Industrial dispute he accepted his promotion in Cat. 'C' and immediately after raising Industrial dispute he further accepted his promotion in Cat. 'B & A'. It is clear that time to time management considering his performance promoted him to higher category. As such there is no reason to believe that management took any arbitrary decision in placing him in Cat. 'D' when he was recruited. Accordingly after careful consideration I hold that the concerned workman has failed to substantiate his claim and for which he is not entitled to get any relief.

In the result, the following Award is rendered :—

"The demand of the Union for the placement of Shri Bishwanath Singh in Fitter Grade 'C' with effect from his joining employment, 13-12-1985 and his subsequent placement in Grade 'B' w.e.f. the date his juniors were placed in that grade is not justified. Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का. आ. 2404.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा० को०को०लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 56/1995) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं. एल-20012/148/94-आई.आर.(सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S. O. 2404.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/1995) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/148/94-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947

REFERENCE NO. 56 OF 1995

PARTIES: Employers in relation to the management of Mohuda Area of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Shri H. Nath
Advocate.

State: Jharkhand : Industry: Coal

Dated, Dhanbad, the 9th July, 2003

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of

the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/(148)/94-IR (Coal-I), dated, the 3rd April, 1995.

SCHEDULE

“Whether the demand of the Union to seek review of the date of birth recorded in records through an assessment by Apex Medical Board in case of Shri Sahadeo Mahato, Trammer, from the Management of Mohuda Area No. II of M/s. BCCL is justified? If so, to what relief the workman is entitled?”

2. The case of the concerned workman according to W.S. submitted by the sponsoring Union on his behalf in brief is as follows :—

It has been submitted by the sponsoring union that the concerned workman got his initial appointment as Trammer at Murulidih colliery of Mohuda Area No. 2 and thereafter he was transferred to Murulidih No. 20/21 Pit colliery of the said area as Trammer on 11-12-81. They submitted that the date of birth of the concerned workman was recorded in the relevant register as 46 years as on 16-9-80 on the basis of mere assumption as it was not assessed and determined by any competent medical officer of the management. They submitted that elder brother Sri Mahadeo Mahato of the concerned workman who was also an employee under the management his date of birth was recorded as 47 years on 13-7-88. Accordingly it is clear that due to arbitrary act of the management date of birth of the concerned workman was wrongly recorded in the statutory register. Accordingly, the concerned workman submitted representation requesting the management to send him to Apex Medical Board for assessment and determination of his age in accordance with instruction No. 76 of J.B.C.C.I. Circular. But to no effect. Under the circumstances the concerned workman through his sponsoring union raised an industrial dispute before the ALC(C) Dhanbad for conciliation which ultimately resulted reference to this Tribunal by the Ministry for adjudication.

3. The Management on the contrary after filing W.S.-cum-rejoinder have denied all the claims and allegations which the sponsoring Union asserted in their written statement submitted on behalf of the concerned workman. They submitted that the concerned workman got his appointment as Trammer on 1-1-1950 at Murulidih colliery and thereafter on 11-12-1981 he was transferred to Murulidih 20/21 Pits. They submitted that the date of birth of the concerned workman was recorded as 46 years as on 16-9-80 in the statutory register of the management. They submitted that before raising industrial dispute the concerned workman did not submit any representation for rectification of his date of birth. They submitted that after a lapse of long years since joining his service the concerned workman has raised the stale demand

without any basis and for which his claim is not maintainable in the eye of law.

Accordingly, the management submitted their prayer to pass award rejecting the claim of the concerned workman.

4. Points to be decided in this reference are :—

“Whether the demand of the Union to seek review of Date of Birth recorded in records through an assessment by Apex Medical Board, in case of Shri Sahadeo Mahato, Trammer, from the management of Mohuda Area No. II of M/s. BCCL is justified? If so, to what relief the workman is entitled?”

FINDING WITH REASONS

5. From the record it transpires clearly that in spite of giving sufficient opportunities with the sponsoring union nor the concerned workman appeared to substantiate their claim in question while it was fixed for final hearing. Management though although remained present declined to adduce any evidence on their part. Now considering the facts disclosed in the pleading of both sides and also considering all material papers let us consider if the claim of the concerned workman stands on cogent footing or not. Considering the pleadings of both sides I find no dispute to hold that the concerned workman got his appointment at Murulidih colliery, Mohuda No. 2 as Trammer on 1-1-1950. It is also admitted fact that on 11-12-1981 he was transferred to No. 20/21 Pit colliery under Murulidih.

6. The allegation of the concerned workman is that the management illegally and arbitrarily recorded his age as 46 years as on 16-9-80 in the statutory register. He disclosed that before recording that age the management neither consulted any paper relating to his date of birth nor his age was assessed and determined by the Apex Medical Board. He further disclosed that his elder brother Mahadeo Mahato was also an employee under the management and in the statutory register his age was recorded as 47 years as on 13-7-1998. Disclosing this fact he submitted that Mahadeo though his elder brother in any circumstances he cannot be younger than him and he has referred this fact as the best example to show how illegally and arbitrarily management recorded his date of birth in the statutory register. He submitted that in view of such arbitrary recording of his age in the statutory register he made representation to the management with prayer for assessment and determination of his age through Apex Medical Board but they refused to do so. On the contrary management submitted that before raising any industrial dispute the concerned workman did not submit any such representation raising dispute relating to wrong recording of his age in the statutory register as well as determination of his age through Apex Medical Board. Management further submitted that the concerned workman joined his service in the year 1950 and he kept himself silent for years without any explanation and for which he did not assign any reason.

7. In course of hearing the concerned workman had the scope to submit papers to show that he highlighted the dispute in question with the management before raising industrial dispute but he failed to produce any such paper. No satisfactory explanation is forthcoming why he kept himself silent for long years since the date of his appointment about wrong recording of his age in the statutory register. In the year 1987 service excerpt was handed to all the workmen for their comments over the entries therein. The concerned workman inspite of receiving the service excerpt did not raise any dispute. Accordingly there is reason to believe that he accept all informations given therein. It is the contention of the concerned workman that his elder brother Mahadeo Mahato was also an employee under the management and his age in the statutory register was recorded 47 years as on 13-7-88 while his age was recorded 46 years as on 16-9-80. Inspite of claiming so the concerned workman has failed to produce a single scrap of paper to that effect. Therefore, on the basis of such submission which is not supported by any cogent ground I find little scope to hold any adverse view against the management. The concerned workman though raised dispute over recording his age in the statutory register has failed to produce any authentic document to show that the management illegally and arbitrarily recorded his age in the statutory register. Question of asking any workman to face Apex Medical Board for assessment and determination of age as per J.B.C.C.I. Circular No. 76 arises if the said workman is able to show serious discrepancy in recording his age in different registers. Here such question did not arise because of the fact that he did not disclose any such dispute. His only allegation is that the management illegally and arbitrarily recorded his age in the statutory Register. Accordingly onus absolutely is on the concerned workman to justify his allegation but I find no hesitation to say that inspite of getting ample opportunities the concerned workman has failed to substantiate his claim. As the pleading cannot be considered in any manner as substantive piece of evidence just relying on the same without its corroboration. I find no reason to uphold his claim. I find no hesitation to say that the concerned workman/sponsoring union has failed to substantiate their claim and for which he is not entitled to get any relief.

In the result, the following Award is rendered:—

"The demand of the Union to seek review of the Date of Birth recorded in records through an assessment by Apex Medical Board in case of Shri Sahadeo Mahato, Trammer, from the management of Mohuda Area No. II of M/s. BCCL is not justified. Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का०आ० 2405.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को०लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 1/1992) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं. एल-20012/24/87-डी-III ए/आई.आर.(सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2405.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.1/1992) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/24/87-D. IIIA/IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

SHRI B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947

REFERENCE NO. 1 OF 1992

PARTIES: Employers in relation to the management of M/s. Bharat Coking Coal Ltd., and their workman.

APPEARANCES:

On behalf of the workman : Shri S.N. Goswami, Advocate.

On behalf of the employers : Shri H. Nath, Advocate.

State : Jharkhand : Industry : Coal.

Dated, Dhanbad, the 8th July, 2003

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(I)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(24)/87-D. III(A) dated, the 9th January, 1992.

SCHEDULE

"Whether the claim of the Colliery Shramik Sangh that Shri Kalia Bhuia and 232 others Hard Coke Leaders are employees of the management of Mudidih Colliery of M/s. Bharat Coking Coal Ltd. and these persons be regularised is justified? If so to what relief the concerned persons are entitled?"

2. The case of the concerned workman according to the W.S. submitted by the sponsoring Union on their behalf in brief is as follows :—

The sponsoring Union submitted that during take over of the management of the collieries and the nationalisation of Coking Coal Mines on 17-10-71 and 1-5-72 a large number of hard coke plants have been duly taken over including Hard Coke Plant of Mudidih Colliery and the list of the plants mentioned in the schedule of Coking Coal Mines Nationalisation Act, 1972. After nationalisation of the plant entire working force of Mudidih hard coke plant had been acquisitioned under Section 5 of the Act, 1972 and all workmen of the said plant became employees of the Central Govt. under Section 17 of the Act. They submitted that in the process of production of hard coke there are several forces of working scientifically divided by division of work. They submitted that working for of the loaders of the finished of the Hard coke product from oven to plant and from plant to transport carriages like truck, dumpers and wagon etc. are permanent in nature. The said workmen are directly connected with the manufacture of process of the hard coke, a specialised type of coal products, in special type of job by a group of workmen including Kalia Bhuia and 232 others. A detailed of the list of the workmen and their photographs are maintained by them. The work of transporting of the product being carried out by the concerned workmen within the said colliery. They further submitted that every step of the work of the workmen are directly supervised by the loading supervisor of the management. The job of loading of hard coke in the vehicle upon the loading advice granted through loading slip and the same being prepared by the management in order to control the transportation of the order of the purchaser of the product. The union further submitted that they took up the matter for regularisation of Kalia Bhuia and 232 workmen have been represented by them before the management but the said representation was not appreciated by them inspite of knowing the fact that the workman performed the job in question which was perennial in nature. They further submitted that the concerned workmen started working under the management since 1977 and completed 240 days attendance in each year. They were deployed by the management and not by the contractor and they perform their job under direct supervision and control of the management. They further submitted that these workmen also enjoyed all facilities like that of permanent workmen

and they are also residing at company's quarters. But in spite of discharging the duties as loaders continuously for years together as the management refused to regularise their service they raised an industrial dispute before the ALC(C), Dhanbad through the union in question for conciliation which ultimately resulted reference to this Tribunal for adjudication. Accordingly the sponsoring union submitted prayer to pass award directing the management to regularise Kalia Bhuia and 232 others with other consequential relief.

3. The management on the contrary after filing W.S. cum-rejoinder have denied all the claims and allegation which the sponsoring union asserted in their W.S. submitted that on receipt of the notice from the ALC(C) Dhanbad the Dy. Chief Mining Engineer vide his letter dt. 25-9-86 disclosed that Kalia Bhuia and 232 others were not the employees of Mudidih colliery and not working under the said management either permanently or temporary basis. Accordingly question of creating any relationship of employer and employee did not arise at all. They submitted that the management of Mudidih colliery is engaged only in selling hard coke to different parties and the loading of Hard coke in trucks was being carried by the parties concerned with the help of their own men as loading of hard coke in the trucks were not the liability of the management concerned but the parties concerned. They submitted that the Ministry declined to refer the case for adjudication vide letter No. L-20012(24)/87-D.IIIA dt. 6-4-87 relying on the report submitted by the ALC(C) and for which the sponsoring union of the concerned workmen submitted. Writ petition against the said order passed by the Ministry of Labour before Ranchi Bench of Patna High Court. It was registered as C.W.J.C. No. 334/1991(R). Thereafter in view of order passed by the Hon'ble High Court of Ranchi Bench dt. 10-4-91 the Ministry referred the dispute to this Tribunal for adjudication. They submitted that the demand of the union is unreasonable and unjustified and the approach of the Union is baseless. They disclosed that BCCL is a Government undertaking and there is prescribed procedure for recruitment of workmen as it is not private company which can employ any workman according to their sweet will. They submitted that whenever the process of recruitment of workmen is note it is done by the employment Exchange or through advertisement. It is the only the sponsoring candidates who are considered on the recommendation of the selection committee and the jobs are given. They disclosed that it is not the duty of the management to appoint loaders to load the hard coke in the truck and it is absurd to claim that Kalia Bhuia and 232 hard coke labours were ever employed by Mudidih colliery. As a matter of fact the management has nothing to do with the employment of persons brought by the purchasers of the hard coke for employing persons for loading hard coke purchased by them in their trucks. They submitted that actually the purchaser of hard coke employed the workers for lifting

hard coke in the truck. As the job relating to loading of trucks by hard coke was done by the truck owners question of creating any relationship of employer and employee between the management of BCCL and the concerned workmen never arose. They disclosed that there is surplus staff in the BCCL and the management of BCCL cannot provide employment to the concerned workmen in question who has no legal or moral right to claim the same. Accordingly they submitted that the claim of the sponsoring union for regularisation of the concerned workmen is baseless and cannot be considered under any circumstances and for which they have submitted their prayer to pass award rejecting the claim of the concerned workmen.

4. The points to be considered in this reference are:—

“Whether the claim of the Colliery Shramik Sangh that Shri Kalia Bhuia and 232 others Hard Coke Loaders are employees of the management of Mudidih Colliery of M/s. B.C.C.L. and that these persons be regularised is justified? If so, to what relief the concerned persons are entitled?”

DECISION WITH REASONS

5. It transpires from the record that the sponsoring union in order to substantiate their claim have examined four witnesses, on the contrary management in order to substantiate their claim have examined five witnesses. From the evidence of WW-1 it transpires that he worked under the management for the period from 1977 to 1989. They used to draw wages from the loading clerk. He further submitted that they used to network for 10 months in a year and during each year they were provided with on months leave a part from C.L. granted by the company. He submitted that as loader they used to load hard coke products in the trucks with the help of the instruction provided to them by the colliery. He further disclosed that their work had to be supervised by the LEO(C) Katras. He disclosed that on the basis of loading slip issued by the loading clerk they were allowed to load hard coke in the private trucks. WW-2 during his evidence disclosed that from 1977 to 1989 he worked as loader under the manager for lifting hard coke from the stackyard in the trucks and wagons. He also disclosed that their work also had to be supervised by the loading clerk of Mudidih colliery. Like that of WW-1 he also submitted that during each year they were provided job of 10 months and in each year also they were allowed to enjoy C.L. and medical leave of one month. In case of their ailment they also received the treatment from the Mudidih colliery hospital. He disclosed that they had been paid wages by the colliery on the basis of pay slip issued by the colliery and their work had to be supervised by LEO(C) Katrasgarh. However, in the year 1987 they were stopped from work by the management. WW-3 and WW-4 in course of their evidence also corroborated the facts relating to their work

at Mudidih colliery for loading coke from the stackyard to the trucks/wagons. WW-3 further submitted that they used to load coke on the basis of loading advice issued by the loading clerk. The loading advice during his evidence marked as W-1 series. He disclosed that they used to take out the work of loading as per direction of the loading clerk. In support of Medical treatment of one Chander Bhuia these workmen submitted a photo copy of medical prescription marked as Ext. W-2. He also relied on photo copy written by Bindua Rajwar to the Manager Mudidih colliery for supply of bundles of bamboos for raising hutment marked as Ext. W-3. He further disclosed that they used to draw their wages from the colliery counter. WW-4 disclosed that their work were to be supervised by the loading supervisor who also used to maintain attendance of the workers. He disclosed that they also used to receive their wages from Mudidih colliery. Relying on the loading slip marked as Ext. W-14 series he submitted that they used to load coal on the basis of loading slip issued from Bhatta. The payment slips showing payment to the workers were marked as Ext. W-15 collectively. This witness also disclosed that there was discussion between the union and the management over the stoppage of the work of the concerned workmen and the said minutes of discussion during his evidence was marked as Ext. W-16. During cross-examination WW-1 admitted that they did not receive any letter of appointment from the management. He admitted that they used to load the hard coke belonging to the contractor. He further admitted that coal purchased by those contractors had to be loaded in the said trucks. He also admitted that on the basis of direction given by the loading clerk they used to load coal in those trucks under supervision of the truck owners and of the loading clerk. MW-1 during his evidence disclosed that since 1974 he was working at Mudidih colliery. Initially he joined there as Head mistry and subsequently by getting promotion he became Foreman. The management owned three hard coke Bhatta at 3 different places. In the said Hard coke Bhatta hard coke are manufactured. D.O. holders are allowed to carry hard coke from the said hard coke even on purchase through their vehicles loading the same with the help of their own mean. He categorically denied the fact that the workmen who used to loading hard coke in those private trucks were the employees of the management. Actually they were the men of the D.O. holders and the D.O. holders used to pay them wages. He further disclosed that 2 to 4 trucks are loaded with hard coke everyday subject to its availability from the said Bhatta. He further disclosed that D.O. holders used to supervise the work of the workmen who used to load coal of the D.O. holders. He also denied the fact that the concerned workmen used to be provided job with 10 months in each year. During cross-examination he submitted categorically that there was no loading Munshi for the purpose of loading of hard coke in the trucks.

They load the hardcoke in the trucks which was taken to the weight bridge to ascertain actually which quantity of hard coke in the said truck was loaded. The despatch clerk was entrusted to maintain the register of D.O. holders for loading hard coke in the trucks. MW-2 during his evidence disclosed that after manufactured. Hardcoke the same are sold to the D.O. holders as per Challan. D.O. holders load their trucks with the help of their men. He categorically denied the fact that the concerned workmen were appointed by the management and the management used to pay their wages. He also denied the fact that the concerned workmen worked under the management for more than 240 days in each calendar year during the period in question. He further disclosed that on average 2 truck had been loaded with hardcoke. Maximum capacity of the coke bhatta was 30 tonnes per day but the capacity varied from time to time on the production of the hard coke. He further disclosed that 8 to 10 persons only would require to load hard coke in the trucks of the D.O. holders. He also denied relying to the fact of supervision of the workmen for loading of trucks by any supervisor of the management. MW-3 who was Senior Assistant Manager Mudidih colliery from 1985 to 1988 during his evidence disclosed that with the help of permanent workmen hard coke are manufactured in three coke evens under Mudidih colliery. After production of hard coke, the same are removed to the stackyard with the help of permanent workers. Total strength of permanent workmen in the said the hard coke evens are 260 to 269. He disclosed that from stackyard hard coke are delivered to the D.O. holders on sale after being properly verified by the loading supervisor. He submitted that D.O. holders with the help of their own men used to load hard coke in their own trucks under supervision of the loading supervisor. He disclosed that approximately 80 to 90 M.T. hard coke were manufactured from these three hard coke bhatta every day. MW-4 who is the loading supervisor during his evidence disclosed that he used to allow the private truck owners to load Hard coke from the stackyard as per D.O. Challan after being properly verified with loading slip. He further disclosed that for loading hard coke in the trucks D.O. holders used to employ workers of their own. The loading slips were identified as Ext. W-1 series by this witness during his evidence. He categorically denied the fact that the concerned workmen were ever engaged by the management for loading hard coke in the truck as per the D.O. challans. MW-5 is the Asstt. Foreman under Mudidih colliery and remained incharge of 3 pit new and old coke even. He during his evidence disclosed that hard coke are taken away by the private person purchase in their respective trucks loaded by their own men as per D. O. clerk. He also submitted Bonus register for the year 1981-82 of the colliery and disclosed that only regular workmen of the company whose names were recorded in the register received Bonus. He further submitted that the names of the concerned workmen were not included in the Bonus

register as they were not workmen of the company. Those two register during evidence of this witness were marked as Ext. M-2 and M-2/1. I have considered the loading advice marked as Ext. W-1 series. Considering the evidence of the management as well as of the workmen it is clear that after manufacturing hard coke the same are taken in the stackyard for sale to the private owners. It is clear from the evidence of both sides that private owners after obtaining. D.O. submit the same to the loading supervisor/loading clerk and the loading supervisor/loading clerk after verifying the D.O. with the Challan gives green signal to the purchaser to load hard coke in their respective trucks with the help of their own men. It is seen from the evidence of MW-4 that under Mudidih colliery there are three coke evens and capacity of production from these three hard evens ranges between 80 to 90 M.T. It transpires that to load the said quantity of coal in the trucks requirement of workmen will be not more than 40. Accordingly the management submitted that the claim of 233 workmen for their regularisation as they were engaged by the management to load hard coke in the trucks find no basis at all. It has been submitted on the part of the management that these workmen were to be utilised by the private truck owners from time to time to load hard coke in their respective trucks according to their requirement. They categorically denied the fact that for more than 10 months in a year these workmen were provided job by the management. They load hard coke in the trucks. They also denied the fact of granting leave for one month to the concerned workmen including C.L. Loading advice marked as Ext. W-1 series find no dispute to hold that the same were issued by the management for loading hard coke in the trucks. As such there is no question of raising any dispute in respect of the loading advice in question. The concerned workmen during evidence submitted copies of wage sheets of the workmen marked as Ext. W-15. I have carefully considered the wage sheets of the workmen marked as Ext. W-15. Neither these wage sheets bears any seal nor any signature of the management official in the matter of disbursement of wages to the concerned workmen. As such question of authenticity of these documents as the documents of the management comes to question. In course of hearing the sponsoring union have failed to produce a single scrap of paper to show that the concerned workmen received letters of appointment from the management to work in the stackyard for loading hard coke. They also have not produced any pay slip to say that against the work rendered by them they received wages from the management. Not a single scrap of paper is forth coming to show that they received Bonus also from the management. It is the specific claim of the sponsoring union that the concerned workmen used to work continuously for more than 10 months in a year and also they used to enjoy leave for one month apart from C.L. to that effect the sponsoring union have failed to produce a single scrap of paper. From the evidence of

the management witness a clear picture has come out how hard coke are loaded in private trucks and by whom. It is seen that under Mudidih colliery there are three coke ovens and the capacity of three coke even is approximately 80 to 90 M.T. per day. After production of hard coke the same are taken to the stackyard by the permanent workmen. It has been further transpires from the evidence of MW-3 that approximately 260 permanent workers work in the said three evens for production of hard coke 80 to 90 M.T. per day. There is no paper to show that every day all concerned workmen numbering about 233 were employed to load hard coke measuring about 80 to 90 M.T. in the trucks. After hearing both sides there is sufficient reason to hold that it is absurd to consider that 233 workmen had to be required for loading of 80 to 90 M.T. hard coke in the trucks. From the schedule of the reference it transpires that 14 private trucks had to be deployed for loading hard coke therein. It is further seen that the names of the workmen have been specified actually who used to get themselves engaged in each truck out of these 14 trucks for loading coke. The contention of the sponsoring union is that the concerned workmen first employed in the year 1977 and thereafter they were stopped from work without giving any notice or compensation by the management in the year 1989. They submitted that such stoppage of work amounts to retrenchment and that retrenchment was illegal as it violated the provision of Section 25F of the I.D. Act. In support of the claim the sponsoring union submitted affidavits of all the workmen. The affidavits were sworn by the workmen in the year 1998 and duly identified by Advocate S.N. Goswami. I have carefully considered all affidavits sworn in by the workmen it transpires that all workmen disclosed their age as 28 years as on 19-3-1998. If the age of the concerned workmen are considered as 28 years as 19-3-98 in that case in the year 1977 they were only 7/8 years old. I have failed to understand how a minor boy or girl of 7/8 years were deployed by the management to work in the matter of loading hard coke in the private trucks. Accordingly there is reason to believe that these affidavits have been manufactured with a view to create pressure on the management for procuring employment. The specific contention of the management is that loading of hard coke in the trucks was the duty of the truck owners/D.O. holders and not the duty of the management. Accordingly question of giving employment to any workmen for loading hard coke in the trucks did not arise. It is the specific claim of the sponsoring union that the concerned workmen were appointed by the management as loaders of Hard

Coke relying on the decision reported in 2002-1-LLJ 1053. There is sufficient scope to say that Bonus was absolutely on the sponsoring union to establish that the concerned workmen were actually appointed by the management. In para-2 of the said decision their Lordship of the Apex Court observed that "In our opinion the Tribunal was not right in placing the onus on the Management without first determining on the basis of cogent evidence that the respondent had worked for more than 240 days in the year preceding his termination. It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for more than 240 days in a year preceding his termination. Filing of affidavits only supports his own statement and that cannot be regarded a sufficient evidence for any Court or Tribunal to come to the conclusion that a workman had in fact worked for 240 days in a year." Therefore in view of the decision of the Hon'ble Apex Court the sponsoring Union cannot avoid responsibility to establish that the concerned workmen worked continuously for more than 240 days from 1977 to 1989. I find no hesitation to say that the sponsoring union in course of hearing failed to produce a single scrap of paper to show that the concerned workmen were the employees of the management. I have already discussed above about the loading advice submitted by the concerned workmen as well as the wage sheets. These papers in any circumstances cannot authenticate employment of the concerned workmen by the management. Moreover, the affidavit which the concerned workmen sworn in shows clearly that they were tendering age during in year 1977 and for which there was no scope at all to get their appointment, in such tendered age under any Government undertaking company. Accordingly after careful consideration of all the facts and circumstances I hold that the sponsoring union have failed to substantiate their claim satisfactorily and for which they are not entitled to get any relief in view of their prayer. In the result, the following Award is rendered :—

"The claim of the Colliery Shramik Sangh that Shri Kalia Bhia and 232 others Hard Coke loaders are employees of the Management of Mudidih Colliery of M/s. Bharat Coking Coal Ltd. and that these persons be regularised is not justified. Consequently, the concerned workmen are not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का.आ. 2406.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 162/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं. एल-20012/198/96 आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2406.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 162/1997) of the Central Government Industrial Tribunal I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/198/96-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I DHANBAD

In the matter of a reference U/s. 10(1) (d) (2A) of I.D. Act.

Reference No. 162 of 1997

PARTIES: Employers in relation to the
Management of Kathara Colliery
of M/s. C. C. Ltd.

AND

Their Workmen

PRESENT:

SHRI S. H. KAZMI, Presiding Officer

APPEARANCES:

For the Employers : None.

For the Workman : None.

State : Jharkhand

Industry : Coal

Dated, the 9th July, 2003

AWARD

By Order No. L-20012/198/96-IR(C-I) dated 2-9-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand of the Union for the re-assessment of the age of Sri Nahaluddin, Ex-Mining

Sirdar is legal and justified? If so, to what relief is the workman entitled?”

2. This reference of the year 1997, as it is evident from the record, is still pending for appearance and for filing written statement by the workman/union, whereas in term of the order of reference the written statement was to be filed in the year 1997 itself, within the period indicated therein. During the long pendency of this reference no one ever cared to appear and file written statement on behalf of the workman and the case remained pending although for the said purpose. It further appears that noticing all the past developments by order dated 24-6-2003 one more opportunity was granted to the workman/union to appear and take necessary step and the notice was sent afresh under registered cover for the said purpose. No any significant development could take place even thereafter and the position as it exists till to-day is that neither anyone has appeared nor the written statement has been filed on behalf of the workman/union.

It is, thus, evident from all the aforesaid developments that the party at whose instance the present dispute has been referred to this Tribunal for adjudication is least interested in pursuing the dispute any further, may be due to the reason that the said dispute ceased to be in existence. Anyway, whatever may be the reason considering the aforesaid developments, in my view, it would be just sheer wastage of valuable time of this Tribunal to allow this case remain pending any further and no useful purpose would be served if adjournment after adjournment is granted without any positive development.

This reference as such, stands finally disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का. आ. 2407.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण I, धनबाद के पंचाट (संदर्भ संख्या 171/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं. एल-20012/237/96-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2407.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 171/1997) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the

management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/237/96-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s.10(1)(d)(2A) of the Industrial Disputes Act.

Reference No. 171 of 1997

PARTIES: Employers in relation to the management of Tetulmari Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT: SHRI S. H. KAZMI, Presiding Officer

APPEARANCES:

For the Employers : Shri D. K. Verma, Advocate.

For the Workman : None.

State : Jharkhand Industry : Coal

Dated, the 10th July, 2003

AWARD

By Order No. L-20012/237/96-IR(C-1) dated 26-9-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management in retiring Shri Sagir Mian on the basis of age assessed by the Medical Board in 1987 is legal and justified? If not, to what relief is the workman entitled?”

2. It appears from the record that pursuant to the receipt of the order of reference the case was registered as far back as on 14-10-1997 but thereafter during the long pendency of this case at no stage any one appeared on behalf of the workman for taking any step whatsoever. Simply adjournments were granted to enable the workman/union to appear and take necessary step. It further appears that by order dated 24-6-2002 after having noticed all the past development one more opportunity was granted to the workman/union in the aforesaid regard and notice was also sent under registered cover but that also proved to be of no avail and the position remained the same.

Thus, from all the aforesaid it becomes more than obvious that the party at whose instance the dispute has been referred to this Tribunal for adjudication is not at all

interested to pursue the said dispute or the present reference otherwise there does not appear to be any reason why the present reference has been left un-attended or has been abandoned in such a manner. Considering such circumstances, as such, no useful purpose would be served if this case is allowed to remain pending any further and granting adjournments, in view of the aforesaid developments, would just be a futile exercise.

This, reference as such, stands finally disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का.आ. 2408.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 133/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-8-2003 को प्राप्त हुआ था।

[सं. एल-20012/360/96-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2408.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 133/1997) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 23-8-2003.

[No. L-20012/360/96-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

SHRI B. BISWAS, Presiding Officer,

In the matter of an Industrial dispute under Section 10(1)(d) of the Industrial Dispute Act, 1947.

Reference No. 133 of 1997

PARTIES: Employers in relation to the management of M/s. Central Coalfield Ltd. and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Shri D.K. Verma, Advocate.

State : Jharkhand : Industry : Coal

Dated, Dhanbad the 8th July, 2003

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/360/96-IR(C-I), dated the 20th November, 1997.

SCHEDULE

"Whether the action of the CCL management in denying to extend the benefit of 18 paid holidays and 2nd. Saturday off to S/Sh. Bhaskar Nandy, Alexender Bando, Sudarsan Kr. Sharma, Suraiya, Jaidhan Turi, Tapan Kr. Barriar, Md. Alam Khan, Sabran Manjhi, Rajni Kant Mandal and Bajrang Oraon since the date of their joining in the Press, in the light of Award No. 60 of 1990 by C.G.I.T., Dhanbad for similarly placed workman, is legal and justified? If not, to what relief are these workmen entitled?"

2. In this reference the concerned workman/union appeared and filed their W.S. Subsequently they remained absent before the Tribunal. The management side though appeared before this Tribunal did not file W.S. It is seen from the record that the instant reference was received by this Tribunal on 28-11-97 and since then it is pending for disposal. Registered notices were also issued to the workman side but has failed to turn up. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of the dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. Here it is clear that neither the concerned workman nor the management rendered any sort of cooperation to the Court for disposing of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to pass Award ex-parte. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo motu with the expectations for appearance of the parties in spite of issuance of registered notices. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case for disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an

indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का.आ. 2409.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 97/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं. एल-20012/59/98-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2409.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 97/1999) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/59/98-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer,

In the matter of an Industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 97 of 1999

PARTIES: Employers in relation to the management of Kusunda Area No. VI of M/s. BCCL

APPEARANCES:

On behalf of the workman : None
On behalf of the employers : None
State : Jharkhand : Industry : Coal

Dated, Dhanbad the 8th July, 2003

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their

Order No. L-20012/59/98-IR(C-I), dated the 29th January, 1999.

SCHEDULE

"Whether the action of management of Kusunda Area of BCCL in not regularising with protection of wages to S/sh. Prakash Chandra Jha, Pramod Prasad, Rajendra Chauhand, Suresh Das, Sriram, Md. Mazid Ansari and Md. Ishaque Ali of Khas Kusunda Colliery, in time-rated jobs on which they are working as per order of management is justified? If not, what relief the workman entitled to?"

2. In this reference the concerned workman/union appeared and filed their W.S. Subsequently they remained absent before the Tribunal. The management through their representative though appeared on one accassion and filed authorisation but did not submit any W.S. It is seen from the record that the instant reference was received by this Tribunal on 12-2-1999 and since then it is pending for disposal. Registered notices were also issued to the workman side but failed to turn up. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of the dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. Here it is clear that neither the concerned workman nor the management rendered any sort of cooperation to the Court for disposing of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No Dispute' Award when both the parties remain absent. There is also no scope to pass Award ex-parte. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo motu with the expectations for appearance of the parties inspite of issuance of registered notices. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case for disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 25 जुलाई, 2003

का.आ. 2410.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार

भा.को.को.लि. के प्रबंधन के सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 57/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2003 को प्राप्त हुआ था।

[सं. एल-20012/45/1997-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 25th July, 2003

S.O. 2410.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 57/1998) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 23-7-2003.

[No. L-20012/45/1997-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer,

In the matter of an Industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 57 of 1998

PARTIES: Employers in relation to the management of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

State : Jharkhand : Industry : - Coal

Dated, Dhanbad the 8th July, 2003

ORDER

No. L-20012/45/97-IR(C-I), dated the 10th March, 1998.

SCHEDULE

"Whether the action of the General Manager Govindpur Area No. III of M/s. BCCL P.O. Sonardih Dist. Dhanbad in dismissing Sh. Laldhari Das M/Loader w.e.f. 21-3-84 is justified? If not to what relief is the concerned workman entitled to?"

2. In this reference neither the concerned workman nor his representative appeared. However, the management side though appeared on one occasion and did not file

authorisation and W.S. It is seen from the record that the instant reference was received by this Tribunal on 23-3-1998 and since then it is pending for disposal. Registered notices were issued to the workman as well as the management but inspite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union and the management to assist the Court to dispose of the reference on issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. Such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will persue the matter suo moto with the expectations for appearance for the workman and the management inspite of issuance of registered notices. As per I.D. Act the workman excepting under provision of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the union for their workmen. These unions inspite of receiving notices do not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice until and unless the attitude of the union is changed. I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer.

नई दिल्ली, 28 जुलाई, 2003

का.आ. 2411.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक विभाग के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं. 2, धनबाद के पंचाट (संदर्भ संख्या 97/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2003 को प्राप्त हुआ था।

[सं. एल-40012/147/96-आई.आर. (डी. यू.)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 28th July, 2003

S.O. 2411.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 97/1998) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Postal Deptt. and their workman, which was received by the Central Government on 28-7-2003.

[No. L-40012/147/96-IR(DU)]

B.M DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Biswas,
Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act, 1947

REFERENCE NO. 97 OF 1998

PARTIES:

Employers in relation to the management of Posts, Patna and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

Dated, Dhanbad, the 8th July, 2003

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-40012/147/96-IR(DU), dated, the 16th March, 1998.

SCHEDULE

"Whether the action of the management of Postal Department in terminating the services of Sh. Yugesh Prasad, is legal and justified? If not, to what relief the workman is entitled to?"

2. In this reference neither the concerned workman nor his representative appeared. However, the management side though appeared on one occasion

and filed only authorisation. It is seen from the record that the instant reference was received by this Tribunal on 7-4-1999 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman as well as the management but inspite of the issuance of notices they failed to turn up. In terms of Rule 10 B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union and the management to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance for the workman and the management inspite of issuance of registered notices. As per I.D. Act the workman excepting under provision of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the union for their workmen. These unions inspite of receiving notices do not care to appear before the court for the interest of the workman and as a result they have been deprived of getting any justice untill and unless the attitude of the union is changed. I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances. I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 28 जुलाई, 2003

का.आ. 2412.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर

संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ सं. सी जी आई टी/एल सी/आर/203/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2003 को प्राप्त हुआ था।

[सं. एल-40011/10/93-आई०आर० (सी. यू.)]

बी० एम० डेविड, अवर सचिव

New Delhi, the 28th July, 2003

S.O. 2412.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-LC/R/203/94) of the Central Government Industrial Tribunal/Labour Court Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Telecom. Deptt. and their workman, which was received by the Central Government on 28-7-2003.

[No. L-40011/10/93-IR(DU)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

CASE NO. CGIT/LC/R/203/94

PRESIDING OFFICER:

Shri R.K. Dubey

Mohd. Salim S/o Munnai Bhai,
Pathani Mohalla,
Post Hindoriya,
Distt. Damoh

Shri Rularam,
S/o Shri Rajaram,
R/o Village Thankhedi,
Post Khadirpur,
Distt. Damoh (MP).

Applicants

Versus

The General Manager,
Telecommunication Department,
Bhopal

The S.D.O. Telegraphs,
Damoh (MP)

Non-applicants

AWARD

Passed on this 7th day of July, 2003

1. The Government of India, Ministry of Labour, vide order No. L-40011/10/93-IRDU dated 10-11-94 has referred the following dispute for adjudication by this tribunal :—

“क्या प्रबंधन, जनरल मैनेजर, टेलीकम्यूनिकेशन, भोपाल एवं जिला अभियंता, दूरसंचार, सागर (म. प्र.) के प्रबंधकों द्वारा

श्री मोहम्मद सलीम आत्मज मुन्नु भाई एवं श्री तुलाराम आत्मज राजाराम, एक्स केजुअल लेबर को क्रमशः दिनांक 2-6-85 एवं 01-10-85 से नियमित किये जाने की जगह एवं पूर्ण वेतन देने के स्थान पर क्रमशः दिनांक 08-4-89 एवं 29-02-89 से सेवायें समाप्त किये जाने की कार्यवाही न्यायोचित है। यदि नहीं तो संबंधित कर्मकार किस अनुतोष के हकदार हैं ?"

2. The statement of claim of workman in brief is that the applicants appointed on the post of telegraph Mazdoors under the non-applicant respectively from 1-9-85 and 1-10-85 and were continued in the service upto 8-12-89 and 29-4-89 respectively. The services of the applicants were terminated without any notice or without paying them any retrenchment compensation. Applicant No. 1 from Jan. 86 to Dec. 86 worked for 256 days and from Jan. 87 to Dec. 87 worked for 259 days. Applicant No. 2 worked from 1-1-86 for 245 days. As the workman worked continuously for more than 240 days in the calendar year, they acquired the status of permanent employees. Their services could not have been terminated without following mandatory provisions of Sec. 25-F of the I.D. Act. It was prayed on behalf of the applicant that the action of the non-applicants against them was unjustified, illegal and therefore applicants are entitled to be reinstated in service with full back wages.

4. Non-applicant management in his written statement submitted that due to an expansion drive, the management was required to engage casual labour on the subject to need basis. Applicants were engaged as casual labours on daily wages and when they presented themselves and their services were required, applicant No. 1 in the year 1985 worked only 184 days, in the year 1986 he worked 254 days, in 1987 he worked for 198 days, in 1988 he worked for 112 days, in 1989 he worked for 30 days. Applicant No. 2 worked in 1985, 1986, 1987, 1988—68, 250, 165 and 67 days respectively. The workman did not fulfill conditions prescribed in the scheme for granting temporary status. Management does not have any work that can be assigned to the workman and in the facts and circumstances of the case, the action of the management is legal and justified. It was prayed by the management to decide the reference in favour of the non-applicant/management.

5. The only point of determination to decide the case is whether the order of the management in terminating the services of the workman is justified or not?

6. Management in his written statement specifically denied that the workman had rendered continuous services. They produced a detailed description in the written statement and rejoinder but the workman produced the photocopy of the reply of management before the Assistant Labour Commissioner

(C), Jabalpur. Management in its reply in para-2, admitted that Mohd. Salim completed more than 240 days in a calendar year for 2 consecutive years. Admission of the management in this respect is very important and hence it nullify the submissions made by the management before this tribunal in the written statement.

7. Therefore it is clear from the admission of the management that the Applicant No. 1 worked for 240 days continuously in 2 consecutive years.

8. But the position of the Applicant No. 2 is different. It is not proved that he worked continuously for 240 days in a year for 2 consecutive years therefore Applicant No. 2 cannot avail the benefits of the Sec. 25-F of the I.D. Act.

9. From the perusal of the documents it is clear that the applicant No. 1 worked continuously 240 days in a year for 2 consecutive years therefore Applicant No. 1 acquired the status of permanent worker and he cannot be removed without following the procedure mentioned in Sec. 25 of the I.D. Act and without giving him any retrenchment compensation. Therefore in my view, the order of the management against the applicant No. 1 Mohd. Salim is illegal and not proper but the termination order of management against applicant No. 2 is proper and legal. Therefore after considering the facts of the case it was ordered that the applicant No. 1 should be reinstated in service with 50% of the wages within 3 months of the publication of the award. If the tribunal's order is not complied within 3 months from the date of the publication, then the management have to pay 8% interest on the amount of the back wages from the date of the application. Management also bear the costs of the applicants in the proceedings. Advocate fees is Rs. 1000/-. This amount is also borne by the Non-applicant.

10. The claim of the applicant No. 2 Tularam S/o Rajaram is rejected. Both parties should bear their own cost. Advocate fees is Rs. 1000/-.

11. The reference of the ministry is answered in these words that the order of the management against the workman Mohd. Salim, S/o Munnu Bhai is not justified and the order of the management against Tularam, S/o Rajaram in terminating his services is justified and legal.

12. The copy of the award be sent to the Govt. of India, Ministry of Labour as per rules.

R. K. DUBEY, Presiding Officer

नई दिल्ली, 28 जुलाई, 2003

का.आ. 2413.—औद्योगिक विवाद अधिनियम, 1947, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यूक्लियर पावर कॉर्पोरेशन के प्रबंधन के संबंध में नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक अधिकरण नं. 2, मुम्बई के पंचाट (संदर्भ संख्या सी जी आई टी-2/102 ऑफ 99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2003 को प्राप्त हुआ था।

[सं. एल-42012/221/98-आई.आर.(डी. यू.)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 28th July, 2003

S. O. 2413.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/102 of 99) of the Central Government Industrial Tribunal/Labour Court No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Nuclear Power Corporation and their workman, which was received by the Central Government on 28-7-2003.

[No.L-42012/221/98-IR(DU)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 MUMBAI

PRESENT:

Shri S. N. Saundankar, Presiding Officer

REFERENCE NO. CGIT-2/102 OF 1999

Employers in Relation to the Management of

- (1) Nuclear Power Corporation
- (2) Department of Atomic Energy
 1. The General Manager (P & A),
Nuclear Power Corporation,
16th & 20th Floor,
Centre I,
World Trade Centre,
Cuffe Parade,
Mumbai-400 038.
 2. Department of Atomic Energy,
Anushakti Bhavan,
Chhatrapati Shivaji Marg,
Mumbai-400 039.

V/s.

Their Workmen

Shri Madhav K. Bapat,
3/9, Kalyan Building,
Khadilkar Road,
Girgaum,
Mumbai-400 004.

APPEARANCES:

For the Employers : S/Shri Vijay Kantharia &
Harshal Bhalerao,

i/b. M/s. Rajesh Kothari &
Co., Advocates

For the workmen : Mr. Umesh Nabar,
Advocate.

Mumbai, dated 27th May, 2003

AWARD PART—I

The Government of India, Ministry of Labour by its order No. L-42012/221/98/IR (DU) dated 16/20-4-1999 in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Nuclear Power Corporation, Mumbai by terminating the services of Shri Madhav K Bapat is legal and justified? If not, to what relief the workman is entitled?”

2. Workman Bapat was appointed as Cashier in the Corporation in September 1978 and that in the year 1995 he was working in the corporate office of the management Corporation at World Trade Centre, Mumbai. *Vide* Claim Statement (Exhibit-6) workman pleaded that he was honestly working as Cashier to the utmost satisfaction of the management and in spite of that, he was issued charge-sheet dated 13th March 1995 for the allegation that from July, 1992 onwards he had indulged in fraudulent practice of drawing salaries, ex-gratia, D.A. arrears and incentive bonus in respect of certain employees by obtaining their signatures later on, thereby defrauded the Corporation to the tune of Rs. 50,910/- and further alleged that he had misappropriated funds amounting to Rs. 55,966/- by not accounting in the Corporation and that he did not credit the cheques for Rs. 5,110/- in Citi Bank and misappropriated the amount. It is averred that workman replied the charge sheet on 28th March, 1995 mentioning therein that on the instructions of the superior Mr. Sharma he had put his signatures on payment vouchers and that, that Sharma was charge-sheeted and was eventually removed from the service. It is contended management however dissatisfied with his reply initiated Disciplinary Enquiry. It is averred by the workman that the charges were incorporated in three articles however due to misunderstanding on the assurances by the Inquiry Officer that he would be exonerated, he had admitted charges in Article No. 1 & 2 and that the inquiry was proceeded against the charge in Article Nos. 3. It is pleaded the Inquiry Officer did not permit workman to defend the charges and that inquiry was conducted with undue haste, he was not given sufficient opportunity, and therefore, was violative of principles of natural justice. It is averred that Inquiry Officer being biased without considering his reasons, recorded the findings holding him guilty which are totally perverse. It is contended based on the inquiry report, Disciplinary Authority dismissed him from service by the order dated

11-2-1997 which he had assailed before the Appellate Authority but, without application of mind the said authority turned down his appeal by the order dated 20-10-1997. It is contended workman had approached the R.L.C.(C) who in turn, tried Conciliation but failed. It is contended inquiry being against the principles of natural justice and the findings perverse, management be directed to reinstate him in service with full back wages.

3. Management No. 1 Nuclear Power Corporation resisted the claim by filing Written Statement (Exhibit-8) contending that the reference is not maintainable for non-joinder of necessary party i.e. Deptt. of Atomic Energy, and that Bapat is a Government Servant governed by the Central Civil Service (Classification, Control and Appeal) Rules, and therefore, he is not a workman, consequently Central Administrative Tribunal is the proper forum and not this Tribunal. It is averred that Department of Atomic Energy, Government of India was the parent department of the Nuclear Power Corporation Ltd., and the NPCL was the borrowing authority only. The Deptt. of Atomic Energy, Government of India i.e. Management No. 2 had passed the order of termination of workman which is not made party and for non-joinder of the necessary party, reference is not maintainable. In so far as fairness of inquiry and perversity of findings are concerned, it is contended that the workman was chargesheeted vide memo dated 13-3-1995 for serious allegations of fraud and embezzlement and that Inquiry Officer giving sufficient opportunity by full fledged inquiry, recorded the findings which were accepted by the Disciplinary Authority i.e. Department of Atomic Energy who in turn imposed punishment of dismissal on the workman from 11-2-1997. It is averred that one Sharma was charge-sheeted and he was held guilty for the fraud and misappropriation and he was dismissed, however, for holding him guilty, workman cannot be exonerated. It is averred that workman voluntarily had admitted the charges levelled against him in Article Nos. 1 and 2 in preliminary hearing on 6-9-1995 and on 21-9-1995, and also on 1-3-1996 had prayed for mercy, and therefore, the inquiry was proceeded in so far as charges under Article No. 3 and in the inquiry all the three charges were found proved and based on the findings Disciplinary Authority imposed the punishment of dismissal on workman. It is contended Inquiry Officer recorded the findings based on documents and evidence before him, and therefore, not perverse and consequently it is contended workman's claim be dismissed.

4. Management No. 2 Department of Atomic Energy, Union of India vide Written Statement (Exhibit-18) supported the averments made by the management No. 1 contending that the inquiry was fair and proper, hence, does not call for interference.

5. By the Rejoinder (Exhibit-20) workman reiterated the recitals in the Statement of Claim denying the averments in the Written Statements (Exhibits-8 and 18).

6. On the basis of the pleadings preliminary issues were framed (Exhibit-22) and in that context workman Bapat filed affidavit in lieu of Examination-in-Chief (Exhibit-24) and closed evidence vide purshis (Exhibit-28). Both the managements however did not lead oral evidence on preliminary issues vide purshis (Exhibit-29).

7. Workman filed written submissions (Exhibit-31) and the management (Exhibit-32). On hearing the counsels perusing the record and the written submissions, I record my findings on the following preliminary issues for the reasons :

Issues	Findings
1. Whether the management proves that this tribunal has no jurisdiction to decide the reference as contended in Written Statement paras 1 and 2?	This Tribunal has jurisdiction.
2. Whether the domestic inquiry conducted against the workman was as per the principles of natural justice?	Yes.
3. Whether the findings of the Inquiry Officer are perverse?	Yes.

REASONS

8. At the outset the Learned Counsel Mr. Kantharia for the management urged that the Nuclear Power Corporation Limited is a Government company and that Bapat was working as Cashier in the company, and therefore, he was a Government servant governed by Central Civil Service (Classification, Control and Appeal) Rules, hence, provisions of Clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act does not apply, therefore, this Tribunal has no jurisdiction to entertain and adjudicate the reference. Inviting attention to the detailed written submissions (Exhibit-32) Mr. Kantharia submits that Bapat was transferred on en masse deputation to Nuclear Power Corporation Limited with effect from 17-9-1987 by the Department of Atomic Energy which laid down the conditions of deputation, and that service conditions of Bapat governed by the Central Civil Service Rules, consequently Memorandum of charges was issued to him under Rule 14 of CCS (CCA) Rules, 1965, consequently Bapat does not fall within the definition of Section 2(s) of the Industrial Disputes Act. Section 2(s) defines 'workman' as under :

"Workman" means any person (including an apprentice) employed in any industry to any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for

the purposes of any proceedings under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal, discharge or retrenchment has led to that dispute, but does not include any such person—

- (i)
- (ii)
- (iii)
- (iv)

Bapat was admittedly working as Cashier. The Government of India issued Notification on 12-8-1992 as under :

“In pursuance of sub-clause (i) of clause (a) of Section 2 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby specifies, for the purposes of that sub-clause, the controlled industry engaged in the manufacturing or production of Atomic Energy which is controlled by the Central Government under Section 3 of the Atomic Energy Act, 1962.”

It shows the office in question was and is an industry within the meaning of Section 2 (j) of the Industrial Disputes Act for which the appropriate Government is the Central Government and that this Tribunal has jurisdiction. So far the averment in Written Statement para 1 that the Department of Atomic Energy, Government of India in spite of necessary party has not been arrayed as party to the reference, on perusal of the record it is seen by the order on Exhibit-10 dated 30-4-2001 on the application of workman, Department of Atomic Energy of India was made party as Management No. 2, and consequently, it has filed written statement (Exhibit-18), therefore, the contention to that effect, does not survive. In view of the discussion supra, the reference is maintainable and that this Tribunal has jurisdiction in width to entertain and adjudicate the same. Issue No. 1 is answered accordingly.

9. Workman Bapat in his Statement of Claim (Exhibit-6) averred much that the inquiry was in violation of principles of natural justice and fair play in as much as undue haste was made in conducting the inquiry and that he was not explained procedure of the inquiry and he had further averred that the findings of the Inquiry Officer are totally perverse, as reasons given by him were not accepted and that he reiterated the grounds as averred, in his affidavit in lieu of Examination-in-Chief. In so far as domestic inquiry is concerned. Their Lordships of the Apex Court in *Sur Enamel and Stamping Works V/s. Their Workman* 1963 II

LLJ 367, ruled that enquiry cannot be said to have been properly held unless :

- (1) the employee proceeded against has been informed clearly of the charges levelled against him;
- (2) the witnesses are examined—ordinarily in the presence of the employee—in respect of the charges;
- (3) the employee is given a fair opportunity to cross-examine the witnesses;
- (4) he is given fair opportunity to examine witnesses including himself in his defence if he so wishes on any relevant matter; and
- (5) the inquiry officer records his findings with reasons for the same in his report.

10. The crucial point in the matter is whether the domestic inquiry conducted against the workman Bapat was fair and proper and whether the findings recorded by the inquiry officer are perverse. Admissions of the adversary is the best evidence. Workman a commerce graduate, joined service in the year 1978 and was terminated in February 1997 thereby put about 19 years service, clearly admitted in his cross-examination para 9 that inquiry conducted against him was fair and proper. He has specifically pointed out that he was given copies of proceedings; evidence was recorded in his presence. Letters (Exhibit-9/pg. 49-51/54) is admittedly in the handwriting of workman which clearly points on the admission of the charges. Proceedings filed with list Exhibit-9 and the document at Exhibit-18 clearly show that charges were specific and that sufficient opportunity was given to workman. Record further clearly shows that the Inquiry Officer recorded the findings with reasons. Admittedly workman was not knowing Inquiry Officer and that Inquiry Officer was also not knowing him earlier, therefore, there is no question of being biased against him. So far perversity is concerned, when the findings are such which no reasonable person would have arrived at on the basis of material before him as pointed out by the Hon'ble Apex Court in *Central Bank of India V/s. Prakashchand Jain* 1969 II LLJ 877, considering the evidence as a whole and the clear cut admission of workman referred to above, it can safely be said that inquiry was fair and proper and findings are not perverse. Issues 2 and 3 are therefore answered accordingly and hence the order :

ORDER

The domestic inquiry conducted against the workman was as per the principles of natural justice.

The findings of the Inquiry Officer are not perverse.

S. N. SAUNDANKAR, Presiding Officer

नई दिल्ली, 29 जुलाई, 2003

का.आ. 2414.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं 2, धनबाद के पंचाट (संदर्भ संख्या 183 ऑफ 1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-07-2003 को प्राप्त हुआ था।

[सं. एल-12012/669/98-आई.आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th July, 2003

S.O. 2414.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 183 of 1999) of the Central Government Industrial Tribunal/No. 2 Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 28-7-2003.

[No. L-12012/669/98-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD****PRESENT :**

Shri B. Biswas, Presiding Officer

In the Matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947

REFERENCE NO. 183 OF 1999**PARTIES :**

On behalf of the workman : None

On behalf of the employers : None

State : Jharkhand : Industry : Bank

Dated, Dhanbad, the 8th July, 2003

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their

Order no. L-12012/669/98-IR (B-I), dated, the 19th April, 1999.

"Whether the action of the management of State Bank of India, Kalyani Market Branch, Muzaffarpur regarding denial of confirmation as 3rd teller (Draft) to Sri S.C. Yadav w.e.f. 29-9-97 was not justified? If so, to what relief the workman is entitled to get consequential benefits?"

2. In this reference neither of the parties turned up before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 20-5-1999 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman as well as the management but in spite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workmen within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union and the management to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No Dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance for the workman and the management in spite of issuance of registered notices. As per I.D. Act the workman excepting under provision of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the union for their workmen. These unions in spite of receiving notices do not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice until and unless the attitude of the union is changed. I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the co-operation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for a indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 29 जुलाई, 2003

का.आ. 2415—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कम-लेबर कोर्ट, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/66/83) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-07-2003 को प्राप्त हुआ था।

[सं. एल-12012/152/83-डी- II ए/आई.आर.(बी- I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th July, 2003

S.O. 2415.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Case No. CGIT/LC/R/66/83) of the Central Government Industrial Tribunal/ Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 28-7-2003

[No. L-12012/152/83-D-IIA/IR (B- I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC/R/66/83

PRESIDING OFFICER, SHRI R. K. DUBEY

Shri Pratap Narayan Pande,
Head Messenger,
15, State Bank colony,
Jabalpur

.....Applicant

Versus

The Regional Manager,
State Bank of India,
Regional Office,
Region No. 1, Marhatal,
Jabalpur

.....Non applicant

AWARD

Passed on this 14th day of July, 2003

1. The Government of India, Ministry of Labour vide order No. L-12012/152/83, D.IIA dated 14-12-83 has referred the following dispute for adjudication by this tribunal :

“Whether the action of the management of State Bank of India, Regional Office, Region No. 1, Jabalpur in relation to their Medical College Branch, Jabalpur in dismissing Shri Pratap Narayan Pande, Head Messenger from service with effect from 2-6-82 is justified? If not, to what relief the workman concerned is entitled?”

2. The brief facts of this case are that the workman was working in the State Bank of India as Head Messenger since Jan. 1971. The workman approached by a party. One M/s. Patel Brothers have an account in the Bank and CC Limit were granted to them. Several documents, cheques of the Patel Brothers dishonoured. The workman approached by Patel Brothers to delay the post and not produce the documents relating to Patel Brothers before the Branch Manager. But after some time the delayed the documents seen by the Branch Manager, enquiry started and the workman made a confession before the Manager and later the workman was dismissed by the authorities.

3. On behalf of the workman, it was argued that the dak of the Branch is received by the Post Office through a sealed bag. One key of the bag retained by the postmaster and another by the Bank authorities. For the registered letter, a special man is sent to receive them. The workman Hr. Pandey is not in any manner connected with the dak. If any DDs are found in the dak, Branch manager personally initials them and get them entered in the dak register. The Branch Manager and Senior officials were responsible for any loss of the documents. They tried to save their neck and the workman as a scape goat used by them. They made several promises to the workman. The workman Pandey under threat and coercion gave a confessionary statement to them. During the pendency of the criminal case chargesheet could not be issued. The relevant documents and DD were not produced various other connected documents to show receipt of DD. The officer ignored material evidence and relied on impermissible evidence, assumptions and presumptions. It was prayed on behalf of the workman that the action of the management be declared as unjustified and the workman is entitled to back wages with full interest and compensation etc.

4. The Management in his reply denied all the allegation of the workman. It was claimed by the management that the enquiry conducted by the Enquiry Officer in a just and proper manner. The workman himself

without any coercion or undue influence gave confession regarding nonproduction of original documents, it was submitted that the original documents were filed in the criminal case pending before the criminal court. Therefore it is not possible to produce them in the enquiry. It is also submitted that the criminal case was pending before the criminal court for the period of nine long years and decision of the case is not possible in near future. Therefore holding an enquiry against the workman becomes necessary. The Enquiry conducted by the Enquiry Officer is in a rightful and just manner and the Disciplinary Authority applied his mind. The management prayed for the dismissal of the claim filed by the workman.

5. The following issues are necessary for the just decision of this case :

1. Whether the confession made by the workman is in a just and proper manner ?
2. Whether the enquiry conducted by the Enquiry Officer against the workman is just and proper?
3. Whether the workman entitled for any relief and costs?

6. Issue No. 1 :

In this respect, I found the copy of confession in the enquiry papers. The management lead their evidence in the enquiry and before the tribunal. Mr. B.P. Parasar Head Cashier states that Smt. P.N. Pandey came to his residence and told him that the workman wanted to disclose everything relating to the incident. This witness informed the Branch Manager Mr. R. L. Khanna in the residence of workman, this witness remains outside. Meanwhile the Branch Manager Mr. Khanna and CID Inspector recorded the confessionary statement of the workman. When this witness after sometime calls for tea, the statement showed to him at that time. It was not prepared before him.

7. Another witness is Mr. D.V. Digraskar. Mr. Digraskar is a witness regarding an envelope received in the Bank in a suspicious condition. The Branch Manager, Mr. Khanna was not examined before the tribunal. About Mr. Khanna's absence, it was informed on behalf of Mr. Khanna by the management that Mr. Khanna was expired. Mr. R.K. Shrivastava and Sharad Kumar Dubey also examined by the Management. Both of these witness cross examined by Shri R. Menon, Advocate (as he then was at that time) on behalf of the workman. These witnesses clearly shows that Patel brothers were granted DDs purchased for Bank. Proceedure was that he should sell his goods to various purchasers and after despatch he used to produced Despatch Invoice. Before the dak being sent by the Branch Manager to respective sections after being marked Branch Manager used to give it to Pandey to be given to the Accountant. It is clear that workman Mr. Pandey has important functions regarding the distribution

of the daks. In the enquiry papers, the confessionary statement of Mr. Pandey workman is just and proper. This statement made by the workman on 20-7-71. The workman Mr. Pandey also admitted his offence before the ACJM Jabalpur on 20-7-71. The burden of proof that this confession was made by the workman under undue influence and coercion is on the workman himself. Civil Law is different in this respect from criminal law. In criminal law, the burden of proof is solely on the prosecution and guilt must be proved beyond all reasonable doubts but in civil law, court or tribunal renders their judgement on the probabilities. Under Sec. 102 of the Evidence Act, the burden of proof regarding the coercion and undue influence in recording the confessionary statements lies on the workman.

8. The workman's statement under 164CRPC before the ACJM Jabalpur and another statement before the Bank Manager made in a proper and reasonable manner and in my opinion, they were made without threat or coercion as threat is not proved.

9. Issue No. 2 :

I peruse the enquiry papers in this respect. Management has forced in his contention that the criminal case was pending since 9 years and the judgement was not possible in near future. In the DE the proceedings shows that opportunity given to the workman to examine the management witnesses. In my opinion, it seems that the DE conducted by the Enquiry Officer against the workman is in just and proper manner.

10. Issue No. 3 :

While considering Issue Nos. 1 & 2, I pointed out that the confessionary statement of the workman was valid one and the DE conducted against the workman is in a right and justful manner. Therefore now the only question remains that whether the order of sentence of dismissal given by the competent Authority to the workman is just and proper or not ? The act of the workman clearly shows that the workman with the intention to commit fraud on the Bank conspired with the guilty persons and acted on behalf of the guilty persons. He hide many important papers only to defraud the bank. Therefore the management after holding the enquiry issues order of dismissal. This order of dismissal is proper after looking into the gravity of the offence of the workman. No relief can be granted to the workman in such type of cases hence the statement of claim made and produced on behalf of the workman is rejected. Looking into the circumstances of the case, both the parties should bear their own cost. Advocate fees is Rs. 1000/- if certified.

11. The Labour Ministry's reference cited in para replied in these words "that the action of the management

against the workman resulting in dismissal of the workman is just and proper”.

12. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

R.K. DUBEY, Presiding Officer

नई दिल्ली, 29 जुलाई, 2003

का.आ. 2416.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय एन. एफ. रेलवे, लुमडिंग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, गुहाटी, आसाम के पंचाट (संदर्भ संख्या नं. 2 (सी) आफ 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-07-03 को प्राप्त हुआ था।

[सं. एल-41011/28/2001-आई.आर.(बी-1)]

अजय कुमार डेस्क, अधिकारी

New Delhi, the 29th July, 2003

S.O. 2416.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2(c) of 2002) of the Industrial Tribunal, Guwahati, Assam Now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of N.F. Railway, Lumding and their workman, which was received by the Central Government on 28-7-03

[No. L-41011/28/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL : GUWAHATI : ASSAM

REFERENCE NO. 2(C) OF 2002.

PRESENT :

Shri H.A. Hazarika, LL.B.,

Presiding Officer,

Industrial Tribunal, Guwahati.

In the matter of an Industrial Dispute between :

The Management of

D.R.M. (P) N.F. Railway, Lumding.

VS

Their workman Sri Alok Roy.

Date of Award 3-7-2003.

AWARD

The Government of India in the Ministry of Labour vide its Order No. L-41011/28/2001-IR (B-1), dated 31-10-2001 referred an Industrial Dispute exist between employer in relation to management of the D.R.M. (P), N.F. Railway, Lumding and their workman Shri Alok Roy for adjudication and award on the following issue :

“Whether the action of the Management of N.F. Railway by not fixing the pay and seniority from 1984 to Shri Alok Roy is justified ? If not, what relief the workmen are entitled ?”

After registration of the matter by this tribunal the notices were issued to both the parties. In compliance of the notice both the parties appeared before this tribunal and filed their written statement etc. and documents.

The case of the workman Shri Alok Roy in brief is that the management concerned appointed the workman in the railway service in Group ‘D’ and as per Railway Board’s Circular No. : E(NG)1-75CEP/28 dt. 27/30-9-75 he was promoted to Group ‘C’.

That though the workman was working with the entire satisfaction of his superior officer he was deprived from the promotion on the basis of his seniority. Even his junior namely Shri A. Ch. Das and six others were allowed to supersede his arbitrarily. Hence he was also deprived from consequential benefit of his service.

That the workman though agitated repeatedly by filing a series of representation the management concerned did not pay heed to it as such he had to place his grievances before the union concern to get redress. The union also raised the issue before the appropriate authority and the Regional Labour Commissioner, Central for redress, but neither the authority nor the Regional Labour Commissioner, Central decided the matter and the workman remained aggrieved and consequently this reference matter referred before this tribunal for adjudication and prayed for an award for correct assignment of seniority and promotion of workman A. Roy with consequent benefit with retrospective effect.

The contention of the management in brief is that the claim made by the workman is not maintainable in present form as well as in fact and is liable for dismissal.

That the claim of the workman is false and the management has not done any irregularity in the matter of selection of seniority. That the record justified the management for their action in maintaining the list of seniority as such there is nothing unfair, arbitrary,

irregularly as alleged by the workman. That seniority of the workman alongwith 4 others has been entertained from the very date they joined as T.C. and communicated to the workman vide DRM(P)/IMG's letter No. E-39-24(T.C.)P.T.-III(T) dated 4-6-91. That option was given to workman along with 4 others to know whether they are agree to accept the post of T.C. without having benefit with retrospective effect. All the employees accept the workman concerned accepted the proposal of option and opted to promotion. The workman A. Roy refused to accept the option. Off late the workman submitted for option on 10-6-97 and his option could not be entertained for further promotion for want of vacancy.

That the workman was offered the chance to exercise his option which he did not avail. As a result of that other candidate selected in the year 1984 included in the panel and were given higher grade promotion in the cadre of Head T.C. as per rule. The management has not committed any illegality and prayed for dismissal of the claim of the workman.

Heard the argument submitted by the learned advocate Mr. K.K. Biswas for the workman and Mr. K.C. Sarma for the management. Also perused the evidence and relevant documents in the record including the written argument submitted by the advocate for the workman. Perused the evidences of MW 1 Shri S.N. Roy and MW 2 Shri D. Kr. Dutta including their cross-examination. Also perused the evidence and cross-examination of MW Shri A. Kr. Ganguly.

On perusal of the documents and evidence in the record I find the management made the capital of their case on the basis that they offered option to the workman alongwith 4 others vide DRM(P)/IMG's letter No. E-39-24(T.C.)P.T.-III(T) dated 4-6-91. Admittedly the workman was allowed to give option alongwith 4 others for conditional promotion. In fact the workman refused to avail the chance where as 4 others accepted and avail the chance and became senior to the workman. Now what I find there is a little negligence on the part of the workman for not availing for conditional promotion alongwith 4 others as per the notification stated herein before.

It is also admitted by the management that the workman refused to join by executing undertaking.

I donot like to discuss more as the matter is simple that the workman was once allowed to select option. Had he been opted alongwith others to whom promotion was allowed he would have also been enjoyed the seniority and promotion. Now what I find from the point of natural justice while the workman in competent to get seniority by accepting option. In my opinion he is fit to get seniority as well as promotion as his 4 others companion got the seniority and promotion.

For his negligence for failure to give option for conditional promotion in time he suffered alot and had to institute this proceeding. Now in my opinion for ends of natural justice I think it will be just to allow conditional seniority promotion as others 4 employees are enjoying. Accordingly though the management agitated that due to inordinate delay on the part of the workman they could not exercise to accept his option for want of vacancy. But it will be just to entertain the claim of the workman to allow him for conditional seniority promotion with retrospective effect from the date on which 4 others who are already allowed for conditional seniority and promotion as per notification No. DRM (P)/IMG's letter No. E-39-24 (T.C.) P. T. III(T) dated 4-6-91. In the result what I find the management is not justified by withholding the seniority and fixation of pay for which the workman is entitled as his 4 colleague already enjoyed. Accordingly this issue is decided in favour of the workman and against the management.

H.A. HAZARIKA, Presiding Officer

नई दिल्ली, 29 जुलाई, 2003

का.आ. 2417.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईस्टर्न रेलवे, धनबाद के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. I, धनबाद के पंचाट (संदर्भ संख्या 131 ऑफ 1997) को प्रकाशित करती हैं, जो केन्द्रीय सरकार को 28-07-2003 को प्राप्त हुआ था।

[सं. एल-41012/83/96-आर्.आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th July, 2003

S.O. 2417.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 131 of 1997) of the Central Government Industrial Tribunal No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Eastern Railway, Dhanbad and their workman, which was received by the Central Government on 28-7-2003.

[No. L-41012/83/96-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference U/S 10. (1)(d) of the I.D.
Act, 1947.

REFERENCE NO. 131 OF 1997

2275 G/03 - 12

PARTIES :

Employers in relation to the management of
Eastern Railway, Dhanbad.

V/s.

Their Workmen.

Present : Shri S.H. Kazmi,
Presiding Officer.

Appearances :

For the Employers : None.

For the Workman : None.

State : Jharkhand : Industry : Railway

Dated, the 9th July, 2003.

AWARD

By order No. L-41012/83/96-I.R. (B) dated 3-7-97 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the Divl. Railway, Dhanbad in denying the appearance of SC/ST Employees for suitability Test for promotion to the post of O.S. Gr. I & II and Supdt. Typist in the month of April, 1996 is justified? If not to what relief these SC/ST Employees are entitled to?”

2. It appears from the record that this reference of the year 1997 is still pending for appearance and for filing the written statement by the Workman/Union whereas in the order of reference itself it stands mentioned that the written statement by the Workman/Union would be required to be filed within 15 days from the date of the notification of the said order. Further it appears that taking into account the past development lastly by order dated 26-6-2003 even one notice was sent to the Workman/Union under registered cover but that also proved to be of no avail as till to-day none has cared to appear and take necessary step on behalf of the workmen or the union.

From all the aforesaid it is, thus, evident that the Workman/Union have lost interest and do not want to pursue the present dispute or this reference any further, may be due to the reason that the dispute which is required to be adjudicated is no more in existence. Anywhere, whatever may be the reason, considering all the aforesaid development it is absolutely needless to allow this case to remain pending any further.

This reference, as such, stands finally disposed of.

S.H. KAZMI, Presiding Officer

नई दिल्ली, 29 जुलाई, 2003

का.आ. 2418—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण गुवाहाटी, असम के पंचाट [संदर्भ संख्या 19(सी) ऑफ 2002] को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-07-2003 को प्राप्त हुआ था।

[सं. एल-12012/115/2002-आई.आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th July, 2003

S.O. 2418.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 19(C) of 2002) of the Industrial Tribunal Guwahati, Assam now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 28-7-03

[No. L-12012/115/2002-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL : GUWAHATI:
ASSAM

REFERENCE NO. 19(C) OF 2002

Present : Shri H. A. Hazarika, LL.B.,
Presiding Officer,
Industrial Tribunal, Guwahati.

In the matter of Industrial Dispute Between :

The Management of State Bank of India, Tripura.

V/s.

Smt. Prava Paul

Dated of Award : 9-6-2003.

AWARD

This reference case is referred by the Government of India, Ministry of Labour vide Order No. L-12012/115/2002 IR(B-I) dated 09-09-2002 under Section 10(1)(d) of the I.D. Act, 1947. This tribunal taken up the matter of dispute between the parties stated herein before to adjudicate on the basis of following issue :

“Whether Smt. Prava Paul was a workman under the I.D. Act, 1947? If so whether the termination of Smt. Prava Paul by State Bank of India is justified? If not, what relief is she entitled to?”

After receiving the reference and order as stated herein before the workman Smt. Prava Paul as well as the Management of State Bank of India, Regional Office are notified and case is as usually registered here.

Though the notices were served upon both parties the management appeared only. The workman did not appear at all and send some prayer respectively on 28-10-02, 2-12-02 and latest by 19-2-03 by post. Amongst these the documents send on 28-10-02 can be treated as written statement. By the letter dated 2-12-02 she has also agitated against the management for not allowing her to continue the work though some others are engaged. That she has work for more than 240 days from 22-12-89 in Amtali Branch and as such she acquired the right for regularisation of permanent engagement.

The contents of the letter dated 19-2-03 that she being poor lady could not appear before this tribunal and prayed for adjudication on the basis of documents submitted.

The case of the management in brief that the workman Smt. Prava Paul was engaged as canteen girl by the local Implementation Committee, Amtali Branch, Agartala on 30-8-97. The subsidy amount of Rs. 500.00 p.m. allotted by the Bank in this regard was distributed between two with Rs. 350.00 being paid to Smt. Prava Paul and Rs. 150.00 to the new canteen boy. That the LIC being not satisfied with her decided not to allow her to continue in the job by adopting a resolution on 1-8-98. Thereafter, the canteen stopped to function from August, 1998 to December 1998 till it was restored on 1-1-99 by engaging some local unemployed youth. Smt. Paul never claimed that she was working as sweeper before her discontinuance as canteen girl. That the statement made by Smt. Paul that she was attending the branch regularly is not a correct statement. That Smt. Paul was never a workman as defined under the provision of I.D. Act, 1947, thereafter the decision of the LIC is not entertainable by this tribunal. That Smt. Paul was never appointed/employed by the State Bank of India and she never worked in any capacity at any Branch of the State Bank of India. Smt. Paul never engaged as a part time sweeper as claimed by her. That she was a canteen girl engaged by the LIC of Amtali Branch and prayed to drop the present dispute.

Though persistence adjournments were made the workman Smt. P. Paul failed to appear. It is pertinent to note here that the hearing must be made as per procedure but when the workman failed to appear, it will be fruitless to pass adjournment again and again. Hence under special circumstances and for ends of natural justice the witness present for the management is recorded ex-parte and decided to pass award on its merits.

On perusal of the documents in record I find there is no documents or evidence that Smt. Paul is appointed or

engaged by the management. The Bank is not liable to regularisation the persons engaged by the LIC. During the course of arguments learned advocate for the management Mr. A. Pervez submitted a case law bearing No. AIR 1996 SC. P. 1241. On perusal of these I find the cited case Law is befitting with the instant case. The workman has not acquired to right for regularisation in a job under the management bank. I find the evidence deposed by the management witness has got legal force.

Under the above fact and circumstances I find the workman Smt. P. Paul is not entitled for any relief. The management is not liable for her termination. Accordingly the issue is decided against the workman that she is not entitled to any relief from the management bank.

H. A. HAZARIKA, Presiding Officer

नई दिल्ली, 31 जुलाई, 2003

का.आ. 2419.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट (संदर्भ संख्या 121/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-07-2003 को प्राप्त हुआ था।

[सं. एल-42011/27/90-आई.आर. (डी.यू.)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 31st July, 2003

S.O. 2419.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 121/90) of the Central Government Industrial Tribunal, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CPWD and their workman, which was received by the Central Government on 31-7-03

[No. L-42011/27/90-IR (DU)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

PRESIDING OFFICER : SHRI B. N. PANDEY

I.D. NO. 121/90

1. Shri Shyambir S/o Sh. Shanker Lal
2. Shri Prem Chand S/o Sh. Kishan Lal
3. Shri Hari Singh S/o Lakhmi Singh

4. Shri Bhudev S/o Shri Tota Ram

5. Shri Vasudev S/o Guna Paswan
through General Secretary,
Muster Roll Workers Union,
J-128, Milap Market,
Beri Wala Bagh,
Subhash Nagar,
New Delhi-110064.

—Workmen

Versus

Executive Engineer (Civil)
Construction Division XII,
C.P.W.D., I. P. Bhawan,
New Delhi-110002

—Management

2. The Chief Engineer,
Construction Zone, C.P.W.D.,
Sewa Bhawan,
R.K. Puram,
New Delhi.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42011/27/90-IR(D.U.) dated 12-10-90 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of C.P.W.D. New Delhi in not giving proper pay scale and benefit to S/Shri Shyambir, Hari Singh, Bhudev, Vasudev and Prem Chand on the basis of equal pay for equal work was justified? If, not, to what relief the workman is entitled to?”

2. It is claimed that the workmen Shyambir, Hari Singh, Bhudev, Vasudev and Prem Chand were employed on daily rated basis and were paid monthly on hand receipt. They were performing their duties daily from 9 AM to 5 PM as per requirements. They were entitled for equal wages as was being paid to their regular counterparts but the management was not paying equal wages for equal work. Hence this dispute.

3. The claim of the workman has been contested by the management on the grounds that they had never been employed by the respondent-management as on muster roll wages; that they were only provided work order under contract for a limited period and after completion of work contract said applicants did not have any right to work; that the principle of equal pay for equal work is applicable to workers engaged by C.P.W.D. on muster roll and on work charge. Hence the claimants are not entitled to get any relief.

4. The claimants also filed rejoinder/reply to the written statement of the management refuting contentions of the management and reiterating their earlier versions.

They added that the act of the management in not making equal payment for equal work is highly discriminatory, arbitrary and violative of the fundamental rights of the claimants. The workmen filed affidavits of Prem Chand, Hari Singh and Vasudev besides documentary evidence as its annexures. They were also cross-examined. On the other hand affidavit of Shri R. N. Talwar, Executive Engineer was filed on behalf of the management besides photo copy of a few documents.

5. None appeared to argue the case on behalf of the either party despite several dates, therefore, considering that the case is old one, I perused the file and considered the facts, pleadings and evidence on record of the parties. In his cross-examination Shri Prem Chand, workman has admitted that he was taken on 8-12-87 on the basis of hand receipt. He denied and stated that it is incorrect that I was taken against work order on the post of baledar from November, 87. The management witness Shri R. N. Talwar who is Executive Engineer, has also stated in para 2 of his affidavit that the said persons (Claimants) were engaged only for temporary work on hand receipt basis for the period as detailed in it; that in the month of November, 1987 and onwards, system of getting a casual jobs done on hand receipt was ordered to be stopped and that these persons have never been employed on the muster roll basis and were only awarded work order under a contract for a limited period and that after completion of the work contract the petitioner had no right to continue his work as contract came to an end. I find that the workmen-claimants have failed to establish their case and rebut the evidence of the management, therefore, I find no merit in the claim of the workmen. Hence the claim is liable to be rejected. There was nothing unjustified in the action of the management. The award is answered accordingly.

B. N. PANDEY, Presiding Officer

नई दिल्ली, 31 जुलाई, 2003

का.आ. 2420.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रिचर्डसन् एवं क्लुगुस लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/55 ऑफ 2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-07-2003 को प्राप्त हुआ था।

[सं. एल-42011/113/99-आई.आर. (डी.यू.)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 31st July, 2003

S.O. 2420.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-

2/55 of 2000) of the Central Government Industrial Tribunal/Labour Court No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Richardson Cruddas Ltd. and their workman, which was received by the Central Government on 31-7-03.

[No. L-42011/113/99-IR (DU)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT :

S. N. Saundankar
Presiding Officer

REFERENCE NO. CGIT-2/55 OF 2000

EMPLOYERS IN RELATION TO THE MANAGEMENT OF RICHARDSON CRUDDAS (1972) LTD. MUMBAI

General Manager (P &A)
Richardson & Cruddas (1972) Ltd.,
Mulund Works,
L.B.S. Marg,
Mulund, Mumbai-400 080.

V/s.

THEIR WORKMEN

The President,
Association of Engineering Workers,
252, Janta Colony,
Ramnarayan Narker Marg,
Ghatkopar (East),
Mumbai-400 077.

APPEARANCES :

FOR THE EMPLOYER : Mr. S.Z. Chowdhary,
Advocate.

FOR THE WORKMEN : Mr. Abhay Kulkarni,
Advocate.

Mumbai, Dated 30th June, 2003

AWARD

The Government of India, Ministry of Labour by its Order No. L-42011/113/99/IR(DU) dated 6-6-2000 in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act,

1947 have referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Richardson & Cruddas (1972) Ltd., Mumbai by not extending the wage rise benefit to the workers Mr. H.R. Mistry, Ticket No. 1012; Sh. H.P. Yadav, Ticket No. 1058 and Shri L.N. Bhowad, Ticket No. 2067 is legal and justified? If not, what relief these workers are entitled to?"

2. Workmen Mistry, Yadav and Bhowad are the workmen of the management company. Vide claim statement (Exhibit-8) union averred that the management denied to extend the wage rise benefit to the above said workmen for which they had approached the R.L.C. (C), Mumbai who in turn, tried Conciliation but failed. It is contended management deliberately refused to extend the said benefit which is against the principles of natural justice and amounts to unfair labour practice. Therefore, the management be directed to extend them the wage rise benefits. Management company resisted the claim of workman by filing Written Statement (Exhibit-11). On the basis of the pleadings issues were framed at Exhibit-13. When the matter was fixed for evidence both the parties pointed out that they have settled the dispute amicably vide deed (Exhibit-15), and therefore, the reference be disposed of. Since the reference settled following order is passed :

ORDER

Reference stands disposed of vide settlement (Exhibit-15).

S.N. SAUNDANKAR, Presiding Officer

EX. NO. 15

BEFORE HON'BLE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II AT MUMBAI

REFERENCE NO. 55 OF 2000

Between :

The Management of Richardson and Cruddas (1972) Ltd.,

And
Their Workmen

Consent Terms

The Parties concerned hereinabove have amicably arrived at out of the Court settlement of the disputes

between the parties concerned herein and the parties hereinabove desire to reduce the same in writing by way of these Consent Terms and pray that this Hon'ble Tribunal may be pleased to pass Award in terms of these Consent Terms. The terms of Settlement are as under :

1. The employer Company shall pay Mr. H. R. Mistry an ex-gratia amount of Rs. 29,861/- in full and final settlement of his claim in Reference No. 55 of 2000.
2. The employer Company shall pay Mr. L. N. Bhowad an ex-gratia amount of Rs. 39,217/- in full and final settlement of his claim in Reference No. 55 of 2000 and 66 of 1999.
3. The employer Company shall pay Mr. H. P. Yadav an ex-gratia amount of Rs. 39,004/- in full and final settlement of his claim in Reference No. 55 of 2000.
4. It is agreed and understood by the workman Mr. L.N. Bhowad that in view of the settlement he shall not make any claim for any additional suspension wages for the period from 9-05-97 to 20-11-97 during which he was under suspension.
5. In view of the said Settlement Mr. Bhowad shall pray before this Hon'ble Tribunal to pass "no dispute Award" in Reference No. 66 of 1999.
6. In view of this Settlement, Mr. H.R. Mistry agree and undertakes not to file any claim for any additional suspension wages for the period from 18-05-99 to 13-09-99 and that he shall have no claim of whatsoever nature against the Company for the said period.
7. In view of this Settlement, Mr. H.P. Yadav, Mr. H.R. Yadav and Mr. L.N. Bhowad shall not have any claim of arrears of whatsoever nature against the Company arising out of the Settlement dated 7-3-1997 entered into between the Employer Company and five elected representatives of the workmen for Mulund Unit of the Company.
8. The Company agrees that the aforesaid amount shall be paid to Mr. H.R. Mistry on or before 31-08-2003 and that the Company shall pay the aforesaid amounts to Mr. H.P. Yadav and Mr. L.N. Bhowad on or before 31-12-2003.

9. The employer Company agrees to extend the benefits of the said Settlement dated 7-3-1997 entered into between the employer company and five elected representatives of the workmen for Mulund Unit of the Company to Mr. H.P. Yadav and Mr. L.N. Bhowad w.e.f. 01-01-2003.

10. It is agreed by and between the parties that the copies of this settlement shall be filed before Hon'ble Central Government Industrial Tribunal No. II at Mumbai for passing Awards in terms of these Consent Terms in Reference No. 66 of 1999 and Reference No. 55 of 2000.

The Parties accordingly jointly pray that this Hon'ble Tribunal may be pleased to pass Award in terms of these Consent Terms in Reference No. 66 of 1999 and Reference No. 55 of 2000 and oblige.

Place : Mumbai

Dated : April 28, 2003

Illegible

Illegible

G.B. Mishra

1. H.P. Yadav

General Manager

Illegible

Richardson & Cruddas (1972) Ltd. 2. H.R. Mistry
Mumbai

Illegible

3. L.N. Bhowad

Illegible

Illegible

S.Z. CHAUDHARI

ABHAY KULKARNI

Advocate for the Company Advocate for the Workmen

वरील सेटलमेंटमध्ये जे ठिहीले आहे ते आमच्या वकिलांनी आम्हाला सगळावके आहे आम्हाला ते सगळे आहे आणि ते मान्य असल्यागुलू आम्ही स्वखुषीने कोणत्याही दअणाविना सहया केल्या आहेत

*लक्ष्मण ना. भोवड

(L.N. Bhowad)

इस सेटलमेंट, में ऊपर जो लिखा है वह हमारे वकील साहब ने हमें समझाया है। हमें वह समझ में आया है और हमें मंजूर है। इसलिये हमने राजीखुशी बिना कोई दबाव के दस्तखत किये हैं।

Illegible

Illegible

(H.P. YADAV)

(H.R. MISTRY)

नई दिल्ली, 5 अगस्त, 2003

का.आ. 2421.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा -(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 सित. 2003 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले ही प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा -76 की उप धारा (i) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध केरल राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

“जिला पालक्काड के चित्तूर तालुक में मूलतः के अधीन आने वाले क्षेत्र”।

[सं. एस-38013/24/03-एस. एस.-I]

संयुक्ता राय, अवर सचिव

New Delhi, the 5th August, 2003

S.O. 2421.—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st September, 2003 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except Sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Kerala namely:—

“Moolathara in Chittoor Taluk in Palakkad District,”

[No. S-38013/24/2003-SS.I]

SANJUKTA RAY, Under Secy.

नई दिल्ली, 5 अगस्त, 2003

का.आ. 2422.—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा-1 की उप धारा -(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 सित. 2003 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले ही प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा -76 की उप धारा (i) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध उड़ीसा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

“जिला सम्बलपुर की सम्बलपुर तहसील के “लरपंक” क्षेत्र के राजस्व गाँव”।

[सं. एस-38013/25/03-एस. एस.-I]

संयुक्ता राय, अवर सचिव

New Delhi, the 5th August, 2003

S.O. 2422.—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Employees' State

Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st September, 2003 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except Sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Orissa namely:—

“The areas comprising the Revenue Villages of “Larpank” in Tahasil Sambalpur of District Sambalpur.”

[No. S-38013/25/2003-SS.I]

SANJUKTA RAY, Under Secy.

नई दिल्ली, 8 अगस्त, 2003

का.आ. 2423.—केन्द्रीय सरकार संतुष्ट है कि लोकहित में ऐसा अपेक्षित है कि भारत सरकार टकसाल कोलकाता, नोएडा, मुम्बई, हैदराबाद एवं चेरलापल्ली (रंगरेड्डी) में सेवाओं को जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 11 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवाएं घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं एस-11017/2/2002-आई. आर. (पी. एल.)]

जे. पी. पति, संयुक्त सचिव

New Delhi, the 8th August, 2003

S.O. 2423.—Whereas the Central Government is satisfied that the public interest required that the services in the India Government Mints, Kolkata, Noida, Mumbai, Hyderabad and Cherlapalli (Ranga Reddy) which is covered by item 11 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/2/2002-IR (PL)]

J. P. PATI, Jt. Secy.

नई दिल्ली, 8 अगस्त, 2003

का.आ. 2424.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में एतद्वारा श्रम मंत्रालय के अधीन केन्द्रीय श्रमिक शिक्षा बोर्ड, मुख्यालय, नागपुर को अधिसूचित करती है।

इसके अतिरिक्त, श्रम मंत्रालय के अधीन केन्द्रीय श्रमिक शिक्षा बोर्ड मुख्यालय, नागपुर के भारत के राजपत्र, भाग II, खण्ड 3 के उपखण्ड (ii) में प्रकाशित क्रमशः दिनांक 4-9-1996 की अधिसूचना सं. ई. 11011/1/93-रा. भा. नी. (क्रमांक 1 से 19) और दिनांक 22-4-1998 को प्रकाशित अधिसूचना सं. ई. 11011/1/93-रा. भा. नी. (क्रमांक 20 से 27) के अंतर्गत अधिसूचित निम्नलिखित कार्यालयों के नामों और स्थानों को क्रमशः उनके सामने बताए गए नामों और स्थानों के रूप में परिवर्तित कर दिया गया है:—

क्र. पूर्व में अधिसूचित केन्द्र का नाम	अधिसूचित करने हेतु प्रस्तावित नाम
1	2
1. श्रमिक शिक्षा केन्द्र, दिल्ली सरायं काले खां, पूर्व निजामुद्दीन, नई दिल्ली- 110013	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, नई दिल्ली
2. श्रमिक शिक्षा केन्द्र, फरीदाबाद	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, फरीदाबाद
3. श्रमिक शिक्षा केन्द्र, कानपुर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, कानपुर
4. श्रमिक शिक्षा केन्द्र, आगरा	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, गाजियाबाद
5. श्रमिक शिक्षा केन्द्र, इलाहाबाद	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, इलाहाबाद
6. श्रमिक शिक्षा केन्द्र, गोरखपुर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, गोरखपुर
7. श्रमिक शिक्षा केन्द्र, बरेली	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, बरेली
8. श्रमिक शिक्षा केन्द्र, शिमला	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, परवाणू
9. श्रमिक शिक्षा केन्द्र, धनबाद	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, धनबाद
10. श्रमिक शिक्षा केन्द्र, जमशेदपुर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, जमशेदपुर

1	2	3
11.	श्रमिक शिक्षा केन्द्र, दामूचक	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, मुजफ्फरपुर
12.	श्रमिक शिक्षा केन्द्र, रांची	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, रांची
13.	श्रमिक शिक्षा केन्द्र, जबलपुर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, जबलपुर
14.	श्रमिक शिक्षा केन्द्र, भिलाई	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, भिलाई
15.	श्रमिक शिक्षा केन्द्र, इन्दौर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, इन्दौर
16.	श्रमिक शिक्षा केन्द्र, ग्वालियर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, ग्वालियर
17.	श्रमिक शिक्षा केन्द्र, जयपुर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, जयपुर
18.	श्रमिक शिक्षा केन्द्र, जोधपुर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, उदयपुर
19.	श्रमिक शिक्षा केन्द्र, जम्मू	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, जम्मू
20.	श्रमिक शिक्षा केन्द्र, अहमदाबाद	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, अहमदाबाद
21.	श्रमिक शिक्षा केन्द्र, बड़ौदा	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, बड़ौदरा
22.	श्रमिक शिक्षा केन्द्र, राजकोट	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, राजकोट
23.	श्रमिक शिक्षा केन्द्र, मुम्बई	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, मुम्बई
24.	श्रमिक शिक्षा केन्द्र, नागपुर	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, नागपुर

1	2	3
25.	श्रमिक शिक्षा केन्द्र, पुणे	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, पुणे
26.	श्रमिक शिक्षा केन्द्र, चंडीगढ़	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, चंडीगढ़
27.	श्रमिक शिक्षा केन्द्र, थाणे	क्षेत्रीय निदेशालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, थाणे

[फा. सं. ई. 11011/1/93-रा. भा. नी. (भाग)]

डी. एस. पूनिया, संयुक्त सचिव

New Delhi, the 8th August, 2003

S.O. 2424.—In pursuance of Sub-rule (4) of the Rule 10 of the Official Language (Use for Official purpose of the Union) Rule, 1976, the Central Government hereby notifies Central Board for Workers Education, Hqrs, Nagpur working under the Ministry of Labour.

In addition of this, names and places of the following offices of the Central Board for Workers Education, Hqrs, Nagpur under Ministry of Labour notified under notification No. E. 11011/1/93-RBN dated 4-9-1996 (Sl. No. 1 to 19) and Notification No. E. 11011/1/93-RBN dated 22-4-1998 (Sl. No. 20 to 27) respectively, in the Gazetted of India, Part II, Sub-section (ii) of section 3 have been changed as shown against their respective names and place:

S. No.	Names and places as notified in the past	Names and places as proposed to be notified
1	2	3
1.	Workers Education Centre, Delhi, Sarain Kale Khan, East Nizamuddin, New Delhi 110013	Regional Directorate Central Board for Workers Education New Delhi.
2.	Workers Education Centre, Faridabad	Regional Directorate Central Board for Workers Education, Faridabad.
3.	Workers Education Centre, Kanpur	Regional Directorate Central Board for Workers Education, Kanpur.
4.	Workers Education Centre, Agra	Regional Directorate Central Board for Workers Education, Ghaziabad.
5.	Workers Education Centre, Allahabad	Regional Directorate Central Board for Workers Education, Allahabad.
6.	Workers Education Centre, Gorakhpur	Regional Directorate Central Board for Workers Education, Gorakhpur.

1	2	3
7.	Workers Education Centre, Barailly	Regional Directorate Central Board for Workers Education, Barailly.
8.	Workers Education Centre, Simla	Regional Directorate Central Board for Workers Education, Parvaru.
9.	Workers Education Centre, Dhanbad	Regional Directorate Central Board for Workers Education, Dhanbad.
10.	Workers Education Centre, Jamshedpur	Regional Directorate Central Board for Workers Education, Jamshedpur.
11.	Workers Education Centre, Damuchak	Regional Directorate Central Board for Workers Education, Muzafferpur.
12.	Workers Education Centre, Ranchi	Regional Directorate Central Board for Workers Education, Ranchi.
13.	Workers Education Centre, Jabalpur	Regional Directorate Central Board for Workers Education, Jabalpur.
14.	Workers Education Centre, Bhilai	Regional Directorate Central Board for Workers Education, Bhilai.
15.	Workers Education Centre, Indore	Regional Directorate Central Board for Workers Education, Indore.
16.	Workers Education Centre, Gwalior	Regional Directorate Central Board for Workers Education, Gwalior.
17.	Workers Education Centre, Jaipur	Regional Directorate Central Board for Workers Education, Jaipur.
18.	Workers Education Centre, Jodhpur	Regional Directorate Central Board for Workers Education, Udaipur.
19.	Workers Education Centre, Jammu	Regional Directorate Central Board for Workers Education, Jammu.
20.	Workers Education Centre, Ahmedabad	Regional Directorate Central Board for Workers Education, Ahmedabad.
21.	Workers Education Centre, Baroda	Regional Directorate Central Board for Workers Education, Barodara.
22.	Workers Education Centre, Rajkot	Regional Directorate Central Board for Workers Education, Rajkot.

1	2	3
23. Workers Education Centre, Mumbai	Regional Directorate Central Board for Workers Education, Mumbai.	
24. Workers Education Centre, Nagpur	Regional Directorate Central Board for Workers Education, Nagpur.	
25. Workers Education Centre, Pune	Regional Directorate Central Board for Workers Education, Pune.	
26. Workers Education Centre, Chandigarh	Regional Directorate Central Board for Workers Education, Chandigarh.	
27. Workers Education Centre, Thane	Regional Directorate Central Board for Workers Education, Thane.	

[F. No. E-11011/1/93-RBN (Pt.)]

D. S. POONIA, Jt. Secy.

नई दिल्ली, 14 अगस्त, 2003

का.आ. 2425.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 593 दिनांक 29-1-2003 द्वारा नाभिकीय ईंधन और संघटक, भारी पानी और संबंध रसायन तथा आणविक ऊर्जा जोकि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्ट 28 में शामिल हैं, को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 26-2-2003 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 खण्ड (द) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 26-8-2003 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/3/97-आई. आर. (पी. एल.)]

जे. पी. पति, संयुक्त सचिव

New Delhi, the 14th August, 2003

S.O. 2425.—Whereas the Central Government having been satisfied that the public interest so required that in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 593 dated 29-1-2003 the services in the Industrial Establishment Manufacturing or Producing Nuclear Fuel and Components, Heavy Water and Allied Chemicals and Atomic Energy which is covered by item 28 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a public utility service for the purpose of the said Act, for a period of six months from the 26th February, 2003.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 26th August, 2003.

[No. S-11017/3/97-IR (PL)]

J. P. PATI, Jt. Secy.